

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: S3/4/19

A Bill

SENATE BILL 406

5 By: Senators J. Hendren, Hester
6 By: Representatives McCollum, McKenzie
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR CONTRACTUAL
10 SERVICES FOR THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL
11 QUALITY WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION
12 TO THOSE FUNDS APPROPRIATED BY ACT 254 OF 2018; AND
13 FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE ARKANSAS DEPARTMENT OF
17 ENVIRONMENTAL QUALITY SUPPLEMENTAL
18 APPROPRIATION.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby
25 appropriated, to the Arkansas Department of Environmental Quality, to be
26 payable from the Hazardous Substance Remedial Action Trust Fund, for
27 contractual services of the Arkansas Department of Environmental Quality
28 which shall be supplemental and in addition to those funds appropriated in
29 Section 13 of Act 254 of 2018, the following:
30

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) CONTRACTUAL SERVICES	<u>\$20,000,000</u>

34
35 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOAN.



1 Notwithstanding the provisions of Arkansas Code Annotated § 19-5-
2 501(b)(1)(C)(ii) and (D)(i), immediately upon the effective date of this act,
3 the director of the Arkansas Department of Environmental Quality is
4 authorized to request the Chief Fiscal Officer of the State to make a loan on
5 his or her books in the amount not to exceed ten million dollars
6 (\$10,000,000) from the Budget Stabilization Trust Fund to the Hazardous
7 Substance Remedial Action Trust Fund. Loan repayments shall be made from time
8 to time from any legal fund of the Arkansas Department of Environmental
9 Quality and the entire amount of the loan shall be repaid to the Budget
10 Stabilization Trust Fund by June 30, 2023.

11 By October 15, January 15, April 15, and July 15 of each fiscal year
12 the Arkansas Department of Environmental Quality shall report to Arkansas
13 Legislative Council or Joint Budget Committee the status of hazardous waste
14 cleanup efforts at the Trafalgar Road site in Bella Vista, Arkansas. The
15 report shall include:

16 a) all funds expended by each quarter of the fiscal year

17 b) source of funds expended

18 c) estimated total of funds to be expended

19 d) expected date for completion of cleanup

20 e) all efforts of cost recovery from responsible parties

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22 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
23 authorized by this act shall be limited to the appropriation for such agency
24 and funds made available by law for the support of such appropriations; and
25 the restrictions of the State Procurement Law, the General Accounting and
26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
27 Procedures and Restrictions Act, or their successors, and other fiscal
28 control laws of this State, where applicable, and regulations promulgated by
29 the Department of Finance and Administration, as authorized by law, shall be
30 strictly complied with in disbursement of said funds.

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32 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
33 Assembly that any funds disbursed under the authority of the appropriations
34 contained in this act shall be in compliance with the stated reasons for
35 which this act was adopted, as evidenced by the Agency Requests, Executive
36 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or
2 summarized oral testimony in the official minutes of the Arkansas Legislative
3 Council or Joint Budget Committee which relate to its passage and adoption.
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5 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
6 Assembly, that funds provided by the General Assembly for the operations of
7 the Arkansas Department of Environmental Quality are, due to unforeseen
8 circumstances, insufficient for the Arkansas Department of Environmental
9 Quality to continue to provide essential governmental services; that the
10 provisions of this act will provide the necessary monies for the Arkansas
11 Department of Environmental Quality to continue such services; and that a
12 delay in the effective date of this Act could work irreparable harm upon the
13 proper administration and provision of essential governmental programs.
14 Therefore, an emergency is hereby declared to exist and this Act being
15 necessary for the immediate preservation of the public peace, health and
16 safety shall be in full force and effect from and after the date of its
17 passage and approval.

18 If the bill is neither approved nor vetoed by the Governor, it shall
19 become effective on the expiration of the period of time during which the
20 Governor may veto the bill. If the bill is vetoed by the Governor and the
21 veto is overridden, it shall become effective on the date the last house
22 overrides the veto.

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25 /s/J. Hendren
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28 APPROVED: 3/7/19
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