

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 94 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1195

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
11 NATURAL RESOURCES COMMISSION FOR THE FISCAL YEAR
12 ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE ARKANSAS NATURAL
16 RESOURCES COMMISSION APPROPRIATION FOR
17 THE 2009-2010 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
24 the Arkansas Natural Resources Commission for the 2009-2010 fiscal year, the
25 following maximum number of regular employees whose salaries shall be
26 governed by the provisions of the Uniform Classification and Compensation Act
27 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
28 thereto. Provided, however, that any position to which a specific maximum
29 annual salary is set out herein in dollars, shall be exempt from the
30 provisions of said Uniform Classification and Compensation Act. All persons
31 occupying positions authorized herein are hereby governed by the provisions
32 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
33 101), or its successor.
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Maximum Annual



1			Maximum	Salary Rate	
2	Item	Class	No. of	Fiscal Year	
3	No.	Code	Title	Employees	2009-2010
4	(1)	U043U	ANRC EXECUTIVE DIRECTOR	1	\$101,580
5	(2)	G003C	ANRC DEPUTY DIRECTOR	1	GRADE C130
6	(3)	A010C	AGENCY CONTROLLER II	1	GRADE C128
7	(4)	B006C	ANRC CONSERVATION DIVISION CHIEF	1	GRADE C128
8	(5)	B005C	ANRC WATER DEVELOPMENT DIVISION MAN	1	GRADE C128
9	(6)	B004C	ANRC WATER RESOURCES DIVISION MANAG	1	GRADE C128
10	(7)	G025C	ATTORNEY SUPERVISOR	1	GRADE C127
11	(8)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
12	(9)	B015C	ENGINEER SUPERVISOR	3	GRADE C126
13	(10)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
14	(11)	B023C	ENGINEER, P.E.	7	GRADE C124
15	(12)	D040C	GIS ANALYST	1	GRADE C123
16	(13)	B035C	GEOLOGY SUPERVISOR	1	GRADE C122
17	(14)	B042C	ENGINEER	2	GRADE C121
18	(15)	G109C	GRANTS MANAGER	3	GRADE C121
19	(16)	B043C	PROFESSIONAL GEOLOGIST	3	GRADE C121
20	(17)	B041C	STATE CLIMATOLOGIST	1	GRADE C121
21	(18)	G126C	FINANCE PROGRAM COORDINATOR	1	GRADE C120
22	(19)	B059C	ANRC PROGRAM COORDINATOR	17	GRADE C119
23	(20)	D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE C119
24	(21)	B065C	ECOLOGIST	2	GRADE C119
25	(22)	G147C	GRANTS COORDINATOR	2	GRADE C119
26	(23)	B060C	LAND RESOURCE SPECIALIST SUPERVISOR	1	GRADE C119
27	(24)	G145C	RURAL CONST GRANT/FINANCIAL OFFICER	8	GRADE C119
28	(25)	G180C	GRANTS ANALYST	3	GRADE C117
29	(26)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
30	(27)	A089C	ACCOUNTANT I	1	GRADE C116
31	(28)	X129C	CONSTRUCTION INSPECTOR	2	GRADE C116
32	(29)	P027C	PUBLIC INFORMATION SPECIALIST	2	GRADE C116
33	(30)	C037C	ADMINISTRATIVE ANALYST	2	GRADE C115
34	(31)	A091C	FISCAL SUPPORT ANALYST	2	GRADE C115
35	(32)	B093C	LAND RESOURCE SPECIALIST	6	GRADE C115
36	(33)	V015C	PURCHASING SPECIALIST	1	GRADE C115

1	(34) A093C STATISTICIAN	1	GRADE C114
2	(35) C056C ADMINISTRATIVE SPECIALIST III	9	GRADE C112
3	(36) C073C ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE C109
4	MAX. NO. OF EMPLOYEES	94	

5

6 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the

7 Arkansas Natural Resources Commission - Operations for the 2009-2010 fiscal

8 year, the following maximum number of part-time or temporary employees, to be

9 known as "Extra Help", payable from funds appropriated herein for such

10 purposes: eight (8) temporary or part-time employees, when needed, at rates

11 of pay not to exceed those provided in the Uniform Classification and

12 Compensation Act, or its successor, or this act for the appropriate

13 classification.

14

15 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,

16 to the Arkansas Natural Resources Commission, to be payable from the

17 Miscellaneous Agencies Fund Account, for personal services and operating

18 expenses of the Arkansas Natural Resources Commission for the fiscal year

19 ending June 30, 2010, the following:

20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2009-2010</u>
23	(01) REGULAR SALARIES	\$ 1,420,848
24	(02) EXTRA HELP	1,200
25	(03) PERSONAL SERVICES MATCHING	408,754
26	(04) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	400,379
28	(B) CONF. & TRAVEL	10,165
29	(C) PROF. FEES	0
30	(D) CAP. OUTLAY	0
31	(E) DATA PROC.	0
32	(05) CONSERVATION DISTRICT EXPENSE	939,990
33	(06) SURVEYS & INVESTIGATIONS	3,700
34	(07) WATER PLANNING	124,981
35	(08) RESEARCH PROJECT	<u>1,782</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,311,799</u>

SECTION 4. APPROPRIATION - NATURAL RESOURCES COMMISSION - CASH. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Natural Resources Commission – Cash for the fiscal year ending June 30, 2010, the following:

ITEM NO.	FISCAL YEAR 2009-2010
(01) REGULAR SALARIES	\$ 843,756
(02) EXTRA HELP	30,800
(03) PERSONAL SERVICES MATCHING	270,488
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	333,331
(B) CONF. & TRAVEL	22,000
(C) PROF. FEES	110,002
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) SOIL & WATER GRANTS & LOANS	6,093,517
(06) TRAINING/CONTRACT SERVICES	<u>105,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 7,808,894</u>

SECTION 5. APPROPRIATION - DAM INVENTORY. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Federal Funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Natural Resources Commission - Dam Inventory for the fiscal year ending June 30, 2010, the following:

ITEM NO.	FISCAL YEAR 2009-2010
(01) REGULAR SALARIES	\$ 39,199
(02) PERSONAL SERVICES MATCHING	12,576
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	49,216
(B) CONF. & TRAVEL	17,000

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	0
4	(04) GRANTS AND AID - DAM SAFETY PROJECTS	<u>30,497</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 148,488</u>

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7 SECTION 6. APPROPRIATION - FLOOD INSURANCE PROGRAM. There is hereby

8 appropriated, to the Arkansas Natural Resources Commission, to be payable

9 from the Federal Funds as designated by the Chief Fiscal Officer of the

10 State, for personal services and operating expenses of the Arkansas Natural

11 Resources Commission - Flood Insurance Program for the fiscal year ending

12 June 30, 2010, the following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2009-2010</u>
16	(01) REGULAR SALARIES	\$ 64,805
17	(02) EXTRA HELP	10,000
18	(03) PERSONAL SERVICES MATCHING	23,365
19	(04) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	46,039
21	(B) CONF. & TRAVEL	22,571
22	(C) PROF. FEES	0
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	0
25	(05) GRANTS AND AID - MAP MODERNIZATION	
26	MANAGEMENT INITIATIVE	<u>170,000</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$ 336,780</u>

28

29 SECTION 7. APPROPRIATION - WATER QUALITY PLAN IMPLEMENTATION. There is

30 hereby appropriated, to the Arkansas Natural Resources Commission, to be

31 payable from the Miscellaneous Agencies Fund Account, for personal services

32 and operating expenses of the Arkansas Natural Resources Commission - Water

33 Quality Plan Implementation for the fiscal year ending June 30, 2010, the

34 following:

36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2009-2010</u>
2	(01) REGULAR SALARIES	\$ 235,000
3	(02) PERSONAL SERVICES MATCHING	70,317
4	(03) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	3,200
6	(B) CONF. & TRAVEL	1,000
7	(C) PROF. FEES	0
8	(D) CAP. OUTLAY	0
9	(E) DATA PROC.	0
10	(04) WATER QUALITY MATCH GRANTS	742,000
11	(05) WATER QUALITY TECHNICIAN	<u>750,000</u>
12	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,801,517</u>

13

14 SECTION 8. APPROPRIATION - WATER, WASTE DISPOSAL, AND POLLUTION ABATEMENT

15 PROGRAM. There is hereby appropriated, to the Arkansas Natural Resources

16 Commission, to be payable from the Water, Waste Disposal, Pollution

17 Abatement, Administrative and Research Facilities Construction Fund, for

18 personal services and operating expenses of the Arkansas Natural Resources

19 Commission - Water, Waste Disposal, and Pollution Abatement Program for the

20 fiscal year ending June 30, 2010, the following:

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2009-2010</u>
24	(01) REGULAR SALARIES	\$ 216,192
25	(02) PERSONAL SERVICES MATCHING	66,728
26	(03) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	4,400
28	(B) CONF. & TRAVEL	0
29	(C) PROF. FEES	0
30	(D) CAP. OUTLAY	0
31	(E) DATA PROC.	0
32	(04) PROJECT DISBURSEMENTS	<u>45,000,000</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$ 45,287,320</u>

34

35 SECTION 9. APPROPRIATION - NONPOINT SOURCE POLLUTION CONTROL PROGRAM.

36 There is hereby appropriated, to the Arkansas Natural Resources Commission,

1 to be payable from the Federal Funds as designated by the Chief Fiscal
 2 Officer of the State, for personal services and operating expenses of the
 3 Arkansas Natural Resources Commission - Nonpoint Source Pollution Control
 4 Program for the fiscal year ending June 30, 2010, the following:

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6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2009-2010</u>
8 (01) REGULAR SALARIES	\$ 611,944
9 (02) EXTRA HELP	25,000
10 (03) PERSONAL SERVICES MATCHING	198,703
11 (04) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	294,334
13 (B) CONF. & TRAVEL	50,000
14 (C) PROF. FEES	100,000
15 (D) CAP. OUTLAY	51,000
16 (E) DATA PROC.	0
17 (05) NONPOINT SOURCE POLLUTION GRANTS	<u>5,642,276</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$ 6,973,257</u>

19

20 SECTION 10. APPROPRIATION - RED RIVER LEVEE REHABILITATION PROJECT. There
 21 is hereby appropriated, to the Arkansas Natural Resources Commission, to be
 22 payable from the Red River Waterways Project Trust Fund, for expenses of a
 23 navigation feasibility study in conjunction with the Corp of Engineers on a
 24 cost sharing basis; the purchase of mitigation lands; and for acquisition of
 25 right-of-way and relocation utilities for a levee rehabilitation project for
 26 the Red River by the Arkansas Natural Resources Commission - Red River Levee
 27 Rehabilitation Project for the fiscal year ending June 30, 2010, the
 28 following:

29

30 ITEM	FISCAL YEAR
31 <u>NO.</u>	<u>2009-2010</u>
32 (01) REGULAR SALARIES	\$ 111,158
33 (02) PERSONAL SERVICES MATCHING	36,498
34 (03) PROJECT COST-SHARE GRANTS	2,000,000
35 (04) STUDY EXPENSES	<u>686,414</u>
36 TOTAL AMOUNT APPROPRIATED	<u>\$ 2,834,070</u>

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SECTION 11. APPROPRIATION - CONSTRUCTION ASSISTANCE REVOLVING LOAN FUND PROGRAM. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Federal Funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Natural Resources Commission - Construction Assistance Revolving Loan Fund Program for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REGULAR SALARIES	\$ 669,592
(02) PERSONAL SERVICES MATCHING	199,092
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	182,404
(B) CONF. & TRAVEL	7,219
(C) PROF. FEES	13,500
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,071,807</u>

SECTION 12. APPROPRIATION - BEAVER ERADICATION PROGRAM. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for grants to the conservation districts for beaver control programs within the districts of the Arkansas Natural Resources Commission - Beaver Eradication Program for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) GRANTS FOR BEAVER CONTROL PROGRAMS	<u>\$ 150,000</u>

SECTION 13. APPROPRIATION - GRANTS & ATTORNEY SERVICES. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for operating expenses of the Arkansas Natural Resources Commission - Grants and Attorney Services for the fiscal year ending June 30, 2010, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) RIVER BASIN COMPACT	\$ 40,820
(02) LEGAL COUNSEL	5,871
(03) COMMITTEE/COMMISSION EXPENSES	10,000
(04) CONSERVATION PROJECTS	3,500
(05) ARKANSAS RIVER COMPACT	17,100
(06) RED RIVER COMPACT	<u>11,210</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 88,501</u>

SECTION 14. APPROPRIATION - RURAL FIRE PROTECTION PROGRAM. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for operating expenses of the Arkansas Natural Resources Commission - Rural Fire Protection Program for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) RURAL FIRE PROTECTION PROGRAM	<u>\$ 1,100,000</u>

SECTION 15. APPROPRIATION - CONSERVATION DISTRICT PROGRAM GRANTS. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for grants to conservation districts of the Arkansas Natural Resources Commission - Conservation District Program Grants for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) GRANTS TO CONSERVATION DISTRICTS	<u>\$ 250,000</u>

SECTION 16. APPROPRIATION - WATER RESEARCH. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for operating expenses of the Arkansas Natural Resources Commission - Water Research for the fiscal year ending June

1 30, 2010, the following:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2009-2010</u>
5 (01) WATER RESEARCH/CONTRACT	<u>\$ 40,800</u>

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7 SECTION 17. APPROPRIATION - CONSERVATION DISTRICT CLERKS' INSURANCE. There
 8 is hereby appropriated, to the Arkansas Natural Resources Commission, to be
 9 payable from the Miscellaneous Agencies Fund Account, for personal services
 10 matching of the Arkansas Natural Resources Commission - Conservation District
 11 Clerks' Insurance for the fiscal year ending June 30, 2010, the following:

12

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2009-2010</u>
15 (01) MEDICAL INSURANCE MATCHING	<u>\$ 408,000</u>

16

17 SECTION 18. APPROPRIATION - WATER, SEWER, AND SOLID WASTE - REVOLVING.
 18 There is hereby appropriated, to the Arkansas Natural Resources Commission,
 19 to be payable from the Water, Sewer and Solid Waste Revolving Fund, for
 20 water, sewer, and solid waste grants of the Arkansas Natural Resources
 21 Commission - Water, Sewer, and Solid Waste - Revolving for the fiscal year
 22 ending June 30, 2010, the following:

23

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2009-2010</u>
26 (01) WATER, SEWER AND SOLID WASTE GRANTS & 27 AID	<u>\$ 5,000,000</u>

28

29 SECTION 19. APPROPRIATION - WATER, SEWER, AND SOLID WASTE - STATE. There
 30 is hereby appropriated, to the Arkansas Natural Resources Commission, to be
 31 payable from the Miscellaneous Agencies Fund Account, for water, sewer, and
 32 solid waste grants or loans that will be repaid to Water, Sewer, and Solid
 33 Waste - Revolving appropriation of the Arkansas Natural Resources Commission
 34 - Water, Sewer, and Solid Waste - State for the fiscal year ending June 30,
 35 2010, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2009-2010</u>
3	(01) WATER, SEWER AND SOLID WASTE GRANTS	\$ <u>736,219</u>

4

5 SECTION 20. APPROPRIATION - OUACHITA RIVER WATERWAYS PROJECTS. There is
 6 hereby appropriated, to the Arkansas Natural Resources Commission, to be
 7 payable from the Ouachita River Waterways Project Trust Fund, for project
 8 expenses of the Ouachita River Waterways Project of the Arkansas Natural
 9 Resources Commission for the fiscal year ending June 30, 2010, the following:

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11	ITEM	FISCAL YEAR
12		
13	<u>NO.</u>	<u>2009-2010</u>
14	(01) OUACHITA RIVER WATERWAYS PROJECTS	\$ <u>81,525</u>

15

16 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 18 PROVISION. At the end of each fiscal year, the Chief Fiscal Officer of the
 19 State shall authorize the transfer of obligated water, sewer, and solid waste
 20 funds, as provided in the ~~2007-2009 biennial~~ appropriation act for the
 21 Natural Resources Commission in the appropriation entitled "Water, Sewer and
 22 Solid Waste - State", from the Miscellaneous Agencies Fund Account, to the
 23 Water, Sewer and Solid Waste Revolving Fund.

24 The provisions of this section shall be in effect only from July 1,
 25 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

26

27 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 29 FORWARD. At the end of each fiscal year, the Chief Fiscal Officer of the
 30 State shall authorize the carry forward of funds to support the amount of
 31 obligated grants that are certified by the Natural Resources Commission for
 32 Matching Grants in the appropriation entitled "Water Quality Plan
 33 Implementation". ~~Any unexpended balance of appropriation authorized for~~
 34 ~~"Water Quality Plan Implementation" which remains at the close of the fiscal~~
 35 ~~year ending June 30, 2008, shall be carried forward and made available for~~
 36 ~~the same purpose for the fiscal year ending June 30, 2009.~~

1 Any carry forward of unexpended balance of ~~appropriation and/or~~ funding as
2 authorized herein, may be carried forward under the following conditions:

3 (1) Prior to June 30, ~~2008~~ 2010 the Agency shall by written statement set
4 forth its reason(s) for the need to carry forward said ~~appropriation and/or~~
5 funding to the Department of Finance and Administration Office of Budget;

6 (2) The Department of Finance and Administration Office of Budget shall
7 report to the Arkansas Legislative Council all amounts carried forward ~~from~~
8 ~~the first fiscal year of the biennium to the second fiscal year of the~~
9 ~~biennium~~ by the September Arkansas Legislative Council or Joint Budget
10 Committee meeting ~~in the second fiscal year of the biennial period~~ which
11 report shall include the name of the Agency, Board, Commission or Institution
12 and the amount of the ~~appropriation and/or~~ funding carried forward from the
13 first fiscal year to the second fiscal year, the program name or line item,
14 the funding source of that appropriation and a copy of the written request
15 set forth in (1) above;

16 (3) Each Agency, Board, Commission or Institution shall provide a written
17 report to the Arkansas Legislative Council or Joint Budget Committee
18 containing all information set forth in item (2) above, along with a written
19 statement as to the current status of the project, contract, purpose etc. for
20 which the carry forward was originally requested no later than thirty (30)
21 days prior to the time the Agency, Board, Commission or Institution presents
22 its budget request to the Arkansas Legislative Council/Joint Budget
23 Committee; and

24 (4) Thereupon, the Department of Finance and Administration shall include
25 all information obtained in item (3) above in the ~~biennial~~ budget manuals
26 and/or a statement of non-compliance by the Agency, Board, Commission or
27 Institution.

28
29 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
31 FORWARD. At the end of the fiscal year, the Chief Fiscal Officer of the
32 State shall authorize the carry forward of funds to support the amount of
33 obligated grants that are certified by the Natural Resources Commission for
34 Water Quality Technicians in the appropriation entitled "Water Quality Plan
35 Implementation". ~~Any unexpended balance of appropriation authorized for~~
36 ~~"Water Quality Plan Implementation" which remains at the close of the fiscal~~

1 ~~year ending June 30, 2008, shall be carried forward and made available for~~
 2 ~~the same purpose for the fiscal year ending June 30, 2009.~~

3 Any carry forward of unexpended balance of ~~appropriation and/or~~ funding as
 4 authorized herein, may be carried forward under the following conditions:

5 (1) Prior to June 30, ~~2008~~ 2010 the Agency shall by written statement set
 6 forth its reason(s) for the need to carry forward said ~~appropriation and/or~~
 7 funding to the Department of Finance and Administration Office of Budget;

8 (2) The Department of Finance and Administration Office of Budget shall
 9 report to the Arkansas Legislative Council all amounts carried forward ~~from~~
 10 ~~the first fiscal year of the biennium to the second fiscal year of the~~
 11 ~~biennium~~ by the September Arkansas Legislative Council or Joint Budget
 12 Committee meeting ~~in the second fiscal year of the biennial period~~ which
 13 report shall include the name of the Agency, Board, Commission or Institution
 14 and the amount of the ~~appropriation and/or~~ funding carried forward from the
 15 first fiscal year to the second fiscal year, the program name or line item,
 16 the funding source of that appropriation and a copy of the written request
 17 set forth in (1) above;

18 (3) Each Agency, Board, Commission or Institution shall provide a written
 19 report to the Arkansas Legislative Council or Joint Budget Committee
 20 containing all information set forth in item (2) above, along with a written
 21 statement as to the current status of the project, contract, purpose etc. for
 22 which the carry forward was originally requested no later than thirty (30)
 23 days prior to the time the Agency, Board, Commission or Institution presents
 24 its budget request to the Arkansas Legislative Council/Joint Budget
 25 Committee; and

26 (4) Thereupon, the Department of Finance and Administration shall include
 27 all information obtained in item (3) above in the ~~biennial~~ budget manuals
 28 and/or a statement of non-compliance by the Agency, Board, Commission or
 29 Institution.

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 31 SECTION 24. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 32 by this act shall be limited to the appropriation for such agency and funds
 33 made available by law for the support of such appropriations; and the
 34 restrictions of the State Procurement Law, the General Accounting and
 35 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 36 Procedures and Restrictions Act, or their successors, and other fiscal

1 control laws of this State, where applicable, and regulations promulgated by
2 the Department of Finance and Administration, as authorized by law, shall be
3 strictly complied with in disbursement of said funds.

4
5 SECTION 25. LEGISLATIVE INTENT. It is the intent of the General Assembly
6 that any funds disbursed under the authority of the appropriations contained
7 in this act shall be in compliance with the stated reasons for which this act
8 was adopted, as evidenced by the Agency Requests, Executive Recommendations
9 and Legislative Recommendations contained in the budget manuals prepared by
10 the Department of Finance and Administration, letters, or summarized oral
11 testimony in the official minutes of the Arkansas Legislative Council or
12 Joint Budget Committee which relate to its passage and adoption.

13
14 SECTION 26. EMERGENCY CLAUSE. It is found and determined by the General
15 Assembly, that the Constitution of the State of Arkansas prohibits the
16 appropriation of funds for more than a one (1) year period; that the
17 effectiveness of this Act on July 1, 2009 is essential to the operation of
18 the agency for which the appropriations in this Act are provided, and that in
19 the event of an extension of the Regular Session, the delay in the effective
20 date of this Act beyond July 1, 2009 could work irreparable harm upon the
21 proper administration and provision of essential governmental programs.
22 Therefore, an emergency is hereby declared to exist and this Act being
23 necessary for the immediate preservation of the public peace, health and
24 safety shall be in full force and effect from and after July 1, 2009.

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27 **APPROVED: 2/12/2009**
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