

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 1427 of the Regular Session

As Engrossed: S3/15/05 S3/21/05

A Bill

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

SENATE BILL 817

4  
5 By: Senators Lavery, Baker, G. Jeffress, J. Jeffress, B. Johnson, J. Taylor, Womack  
6 By: Representatives R. Green, J. Hutchinson, Matayo, Mathis, Norton, Ragland, Sullivan

7  
8  
9 **For An Act To Be Entitled**

10 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS  
11 SOIL AND WATER CONSERVATION COMMISSION FOR A  
12 DEMONSTRATION PROJECT TO CONFIRM PROAGRI  
13 ACTIVATOR PRODUCTS AND TECHNOLOGIES AS A SOIL  
14 NUTRIENT BINDER SOLUTION FOR WATER QUALITY ANIMAL  
15 WASTE/NUTRIENT MANAGEMENT CONCERNS IN ARKANSAS;  
16 AND FOR OTHER PURPOSES.

17  
18  
19 **Subtitle**

20 AN ACT FOR THE ARKANSAS SOIL AND WATER  
21 CONSERVATION COMMISSION - DEMONSTRATION  
22 PROJECT - PROAGRI ACTIVATOR PRODUCTS AND  
23 TECHNOLOGIES GENERAL IMPROVEMENT  
24 APPROPRIATION.

25  
26  
27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

28  
29 SECTION 1. APPROPRIATIONS - DEMONSTRATION PROJECT. There is hereby  
30 appropriated, to the Arkansas Soil and Water Conservation Commission, to be  
31 payable from the General Improvement Fund or its successor fund or fund  
32 accounts, the following:

33 (A) For the purchase of products and services necessary to conduct a  
34 Demonstration Project, the sum of .....\$50,000.



1 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
3 DEMONSTRATION PROJECT PLAN AND TEST PROTOCOLS. The Arkansas Soil and Water  
4 Conservation Commission shall be responsible for and shall develop the Final  
5 Demonstration Project Plan and Test Protocols, identify participating  
6 agencies, organizations and companies, assigning responsibilities, and  
7 establishing schedules for Demonstration Project implementation. Those  
8 counties most affected should be given priority in identifying participants  
9 for the Demonstration Project.

10 The provisions of this section shall be in effect only from July 1, 2005  
11 through June 30, 2007.

12  
13 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROJECT  
15 FUNDS. The Arkansas Soil and Water Conservation Commission shall work with  
16 other agencies and organizations, including state and federal, commercial,  
17 federations, and other non-profit "groups" to raise funds, in addition to  
18 this appropriation, to implement the full Demonstration Project. The funds  
19 appropriated in this Act shall only be expended when matching dollar for  
20 dollar funds have been secured from other sources for the Project.

21 The provisions of this section shall be in effect only from July 1, 2005  
22 through June 30, 2007.

23  
24 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROJECT  
26 PROGRESS AND REPORTING. The Arkansas Soil and Water Conservation Commission  
27 shall report to the House and Senate Agriculture, Forestry, and Economic  
28 Development Committee Chairman regarding expenditures of appropriated funds  
29 and progress of the Demonstration Project.

30 The provisions of this section shall be in effect only from July 1, 2005  
31 through June 30, 2007.

32  
33 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
34 obligations otherwise incurred in relation to the project or projects  
35 described herein in excess of the State Treasury funds actually available  
36 therefor as provided by law. Provided, however, that institutions and

1 agencies listed herein shall have the authority to accept and use grants and  
2 donations including Federal funds, and to use its unobligated cash income or  
3 funds, or both available to it, for the purpose of supplementing the State  
4 Treasury funds for financing the entire costs of the project or projects  
5 enumerated herein. Provided further, that the appropriations and funds  
6 otherwise provided by the General Assembly for Maintenance and General  
7 Operations of the agency or institutions receiving appropriation herein shall  
8 not be used for any of the purposes as appropriated in this act.

9 (B) The restrictions of any applicable provisions of the State Purchasing  
10 Law, the General Accounting and Budgetary Procedures Law, the Revenue  
11 Stabilization Law and any other applicable fiscal control laws of this State  
12 and regulations promulgated by the Department of Finance and Administration,  
13 as authorized by law, shall be strictly complied with in disbursement of any  
14 funds provided by this act unless specifically provided otherwise by law.

15  
16 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
17 that any funds disbursed under the authority of the appropriations contained  
18 in this act shall be in compliance with the stated reasons for which this act  
19 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
20 and Legislative Recommendations contained in the budget manuals prepared by  
21 the Department of Finance and Administration, letters, or summarized oral  
22 testimony in the official minutes of the Arkansas Legislative Council or  
23 Joint Budget Committee which relate to its passage and adoption.

24  
25 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
26 Assembly, that the Constitution of the State of Arkansas prohibits the  
27 appropriation of funds for more than a two (2) year period; that the  
28 effectiveness of this Act on July 1, 2005 is essential to the operation of  
29 the agency for which the appropriations in this Act are provided, and that in  
30 the event of an extension of the Regular Session, the delay in the effective  
31 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
32 proper administration and provision of essential governmental programs.  
33 Therefore, an emergency is hereby declared to exist and this Act being  
34 necessary for the immediate preservation of the public peace, health and  
35 safety shall be in full force and effect from and after July 1, 2005.

36

1

*/s/ Lavery*

*APPROVED: 3/30/2005*