

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

HOUSE BILL 1691

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
10 DEPARTMENT OF ENVIRONMENTAL QUALITY FOR PROVIDING
11 LOANS TO SMALL BUSINESSES FOR PROJECTS TO MEET
12 REGULATORY MANDATES; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE ARKANSAS DEPARTMENT OF
15 ENVIRONMENTAL QUALITY - SMALL BUSINESS
16 REVOLVING LOAN FUND CAPITAL IMPROVEMENT
17 APPROPRIATION.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY. There is
24 hereby appropriated, to the Arkansas Department of Environmental Quality, to
25 be payable from the General Improvement Fund or its successor fund or fund
26 accounts, the following:

27 (A) For the purpose of allowing a fund transfer to the Small Business
28 Revolving Loan Fund for providing loans to small businesses for projects to
29 meet regulatory mandates and pollution control prevention technologies, the
30 sum of \$2,000,000.
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32 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 DISBURSEMENT OF FUNDS. Expenditure of the funds authorized herein shall be
35 made only upon documentation to the Chief Fiscal Officer of the State, in such
36 form as deemed necessary, that all criteria or pre-conditions established in

1 the appropriation act have been met or in the case of state agencies, that a
2 Method of Finance has been filed with the Office of Accounting in the
3 Department of Finance and Administration. Any matching funds as may be
4 provided in law shall be certified to the Chief Fiscal Officer of the State
5 prior to the commencement of the project. Further, any recipient of the funds
6 appropriated herein may be required to file a compliance audit indicating that
7 the use of the funds was in compliance with the intent of the General
8 Assembly.

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10 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
11 obligations otherwise incurred in relation to the project or projects
12 described herein in excess of the State Treasury funds actually available
13 therefor as provided by law. Provided, however, that institutions and
14 agencies listed herein shall have the authority to accept and use grants and
15 donations including Federal funds, and to use its unobligated cash income or
16 funds, or both available to it, for the purpose of supplementing the State
17 Treasury funds for financing the entire costs of the project or projects
18 enumerated herein. Provided further, that the appropriations and funds
19 otherwise provided by the General Assembly for Maintenance and General
20 Operations of the agency or institutions receiving appropriation herein shall
21 not be used for any of the purposes as appropriated in this act.

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

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29 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly
30 that any funds disbursed under the authority of the appropriations contained
31 in this act shall be in compliance with the stated reasons for which this act
32 was adopted, as evidenced by the Agency Requests, Executive Recommendations
33 and Legislative Recommendations contained in the budget manuals prepared by
34 the Department of Finance and Administration, letters, or summarized oral
35 testimony in the official minutes of the Arkansas Legislative Council or Joint
36 Budget Committee which relate to its passage and adoption.

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SECTION 5. CODE. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 6. SEVERABILITY. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1999 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1999 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1999.