

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.

State of Arkansas

As Engrossed: S3/15/05

85th General Assembly

A Bill

Regular Session, 2005

SENATE BILL 817

By: Senators Lavery, Baker, G. Jeffress, J. Jeffress, B. Johnson, J. Taylor, Womack

By: Representatives R. Green, J. Hutchinson, Matayo, Mathis, Norton, Ragland, Sullivan

For An Act To Be Entitled

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

Subtitle

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

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

SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS



1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 DEMONSTRATION PROJECT PLAN AND TEST PROTOCOLS. The Arkansas Soil and Water
3 Conservation Commission shall be responsible for and shall develop the Final
4 Demonstration Project Plan and Test Protocols, identify participating
5 agencies, organizations and companies, assigning responsibilities, and
6 establishing schedules for Demonstration Project implementation. Those
7 counties most affected should be given priority in identifying participants
8 for the Demonstration Project.

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

11
12 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROJECT
14 FUNDS. The Arkansas Soil and Water Conservation Commission shall work with
15 other agencies and organizations, including state and federal, commercial,
16 federations, and other non-profit "groups" to raise funds, in addition to
17 this appropriation, to implement the full Demonstration Project. The funds
18 appropriated in this Act shall only be expended when matching funds have been
19 secured from other sources for the Project.

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

22
23 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROJECT
25 PROGRESS AND REPORTING. The Arkansas Soil and Water Conservation Commission
26 shall report to the House and Senate Agriculture, Forestry, and Economic
27 Development Committee Chairman regarding expenditures of appropriated funds
28 and progress of the Demonstration Project.

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

31
32 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
33 obligations otherwise incurred in relation to the project or projects
34 described herein in excess of the State Treasury funds actually available
35 therefor as provided by law. Provided, however, that institutions and
36 agencies listed herein shall have the authority to accept and use grants and

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

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

14
15 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
16 that any funds disbursed under the authority of the appropriations contained
17 in this act shall be in compliance with the stated reasons for which this act
18 was adopted, as evidenced by the Agency Requests, Executive Recommendations
19 and Legislative Recommendations contained in the budget manuals prepared by
20 the Department of Finance and Administration, letters, or summarized oral
21 testimony in the official minutes of the Arkansas Legislative Council or
22 Joint Budget Committee which relate to its passage and adoption.

23
24 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
25 Assembly, that the Constitution of the State of Arkansas prohibits the
26 appropriation of funds for more than a two (2) year period; that the
27 effectiveness of this Act on July 1, 2005 is essential to the operation of
28 the agency for which the appropriations in this Act are provided, and that in
29 the event of an extension of the Regular Session, the delay in the effective
30 date of this Act beyond July 1, 2005 could work irreparable harm upon the
31 proper administration and provision of essential governmental programs.
32 Therefore, an emergency is hereby declared to exist and this Act being
33 necessary for the immediate preservation of the public peace, health and
34 safety shall be in full force and effect from and after July 1, 2005.

35
36 /s/ Laverty