

1 State of Arkansas

2 92nd General Assembly

3 Fiscal Session, 2020

A Bill

HOUSE BILL 1090

4
5 By: Joint Budget Committee

For An Act To Be Entitled

8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
10 ENERGY AND ENVIRONMENT - DIVISION OF ENVIRONMENTAL
11 QUALITY; AND FOR OTHER PURPOSES.

Subtitle

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14 AN ACT FOR THE DEPARTMENT OF ENERGY AND
15 ENVIRONMENT - DIVISION OF ENVIRONMENTAL
16 QUALITY REAPPROPRIATION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. REAPPROPRIATION - INFRASTRUCTURE. There is hereby
23 appropriated, to the Department of Energy and Environment, to be payable from
24 the Development and Enhancement Fund, for the Department of Energy and
25 Environment - Division of Environmental Quality the following:

26 (A) Effective July 1, 2020, the balance of the appropriation provided
27 in Item (A) of Section 1 of Act 885 of 2019, for state investment for
28 infrastructure for public buildings, water treatment systems, environmental
29 concerns, energy needs, telecommunications, and water and sewer systems, in a
30 sum not to exceed\$5,000,000.
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32 SECTION 2. REAPPROPRIATION - DEVELOPMENT AND ENHANCEMENT. There is
33 hereby appropriated, to the Department of Energy and Environment, to be
34 payable from the Development and Enhancement Fund, for the Department of
35 Energy and Environment - Division of Environmental Quality the following:

36 (A) Effective July 1, 2020, the balance of the appropriation provided



1 in Item (A) of Section 1 of Act 407 of 2019, for state investment for vital
2 infrastructure for public buildings, water treatment systems, environmental
3 concerns, energy needs, telecommunications, water and sewer systems, in a sum
4 not to exceed\$10,000,000.

5 (B) Effective July 1, 2020, the balance of the appropriation provided
6 in Item (B) of Section 1 of Act 407 of 2019, for construction, renovation,
7 maintenance, equipment, grants, loans, personal services, and operating
8 expenses for projects that protect, enhance, and/or restore the environment,
9 in a sum not to exceed\$40,000,000.

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

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

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

1 summarized oral testimony in the official minutes of the Arkansas Legislative
2 Council or Joint Budget Committee which relate to its passage and adoption.

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4 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
5 Assembly, that the Constitution of the State of Arkansas prohibits the
6 appropriation of funds for more than a one (1) year period; that the
7 effectiveness of this Act on July 1, 2020 is essential to the operation of
8 the agency for which the appropriations in this Act are provided, and that in
9 the event of an extension of the legislative session, the delay in the
10 effective date of this Act beyond July 1, 2020 could work irreparable harm
11 upon the proper administration and provision of essential governmental
12 programs. Therefore, an emergency is hereby declared to exist and this Act
13 being necessary for the immediate preservation of the public peace, health
14 and safety shall be in full force and effect from and after July 1, 2020.