

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL 646

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR CAPITAL EQUIPMENT,
9 CONSTRUCTION, AND GRANTS FOR THE OFFICE OF EMERGENCY
10 SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1993; AND
11 FOR OTHER PURPOSES."

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

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15 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the Office
16 of Emergency Services, to be payable from the General Improvement Fund or its
17 successor fund or fund accounts, the following:

18 (A) For Expanding and equipping the Office of Emergency Services
19 Building in Conway, the sum of \$70,479.

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21 (B) For necessary repairs of the Physical Plant, the sum of .. \$40,000.

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23 SECTION 2. APPROPRIATIONS - FEDERAL. There is hereby appropriated, to
24 the Office of Emergency Services, to be payable from the federal funds as
25 designated by the Chief Fiscal Officer of the State, the following:

26 (A) For expanding and equipping the Office of Emergency Services
27 Building in Conway, the sum of \$43,600.

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29 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
30 obligations otherwise incurred in relation to the project or projects
31 described herein in excess of the State Treasury funds actually available
32 therefor as provided by law. Provided, however, that institutions and
33 agencies listed herein shall have the authority to accept and use grants and
34 donations including Federal funds, and to use its unobligated cash income or
35 funds, or both available to it, for the purpose of supplementing the State

1 Treasury funds for financing the entire costs of the project or projects
2 enumerated herein. Provided further, that the appropriations and funds
3 otherwise provided by the General Assembly for Maintenance and General
4 Operations of the agency or institutions receiving appropriation herein shall
5 not be used for any of the purposes as appropriated in this Act.

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

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14 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
15 Assembly that any funds disbursed under the authority of the appropriations
16 contained in this Act shall be in compliance with the stated reasons for which
17 this Act was adopted, as evidenced by the Agency Requests, Executive
18 Recommendations and Legislative Recommendations contained in the budget
19 manuals prepared by the Department of Finance and Administration, letters, or
20 summarized oral testimony in the official minutes of the Arkansas Legislative
21 Council or Joint Budget Committee which relate to its passage and adoption.

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23 SECTION 5. *Arkansas Code 12-10-323 is hereby amended to read as*
24 *follows:*

25 *"12-10-323. Authorized expenditures of revenues.*

26 (a) *Revenue generated as authorized in §§ 12-10-318 - 12-10-321 may be*
27 *expended only for the following purposes:*

28 (1) *The engineering, installation, and recurring costs necessary*
29 *to implement, operate, and maintain a 911 telephone system;*

30 (2) *The costs necessary for forwarding and transfer capabilities*
31 *of calls from the 911 public safety communication center to dispatch centers*
32 *or to other 911 public safety communication centers;*

33 (3) *Engineering, construction, lease or purchase costs to lease,*
34 *purchase, build, remodel, or refurbish a 911 public safety communication*
35 *center and for necessary emergency and uninterruptable power supplies for the*
36 *center;*

1 (4) Personnel costs in the amount of seventy-five percent (75%)
2 of the salary and benefits of each position charged with supervision and
3 operation of the 911 public safety communication center and system;

4 (5) Purchase, lease, operation, and maintenance of consoles,
5 telephone, and communications equipment owned or operated by the political
6 subdivisions and physically located within and for the use of the 911 public
7 safety communication center and radio or microwave towers and equipment with
8 lines which terminate in the center;

9 (6) Purchase, lease, operation, and maintenance of computers,
10 data processing equipment, associated equipment, and leased audio or data
11 lines assigned to and operated by the 911 public safety communication center
12 for the purposes of coordinating, forwarding of calls, dispatch, or
13 recordkeeping of public safety and private safety agencies, for which the 911
14 public safety communication center is the PSAP and to provide information
15 assistance to those agencies.

16 (b) Expenditure of revenue generated by §§ 12-10-318 - 12-10-321 for
17 purposes not identified in this section is expressly prohibited.

18 (c) Appropriations of funds from any source other than § 12-10-318 -
19 12-10-321 may be expended for any purpose whatsoever and may supplement the
20 authorized expenditures of this section and may fund other activities of the
21 911 public safety communication center not associated with the provision of
22 emergency services."

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24 SECTION 6. CODE. All provisions of this Act of a general and permanent
25 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
26 Code Revision Commission shall incorporate the same in the Code.

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28 SECTION 7. SEVERABILITY. If any provision of this Act or the
29 application thereof to any person or circumstance is held invalid, such
30 invalidity shall not affect other provisions or applications of the Act which
31 can be given effect without the invalid provision or application, and to this
32 end the provisions of this Act are declared to be severable.

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34 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
35 with this Act are hereby repealed.

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SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth 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, 1991 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, 1991 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, 1991.

/s/Russ

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