

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: H3/14/97 H3/21/97 H3/25/97

A Bill

ACT 1069 OF 1997
SENATE BILL 229

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE OFFICE OF EMERGENCY SERVICES
11 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1999; AND FOR
12 OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE OFFICE OF EMERGENCY
15 SERVICES APPROPRIATION FOR THE 1997-99
16 BIENNIUM."
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. REGULAR SALARIES. There is hereby established for the
22 Office of Emergency Services for the 1997-99 biennium, the following maximum
23 number of regular employees whose salaries shall be governed by the provisions
24 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201
25 et seq.), or its successor, and all laws amendatory thereto. Provided,
26 however, that any position to which a specific maximum annual salary is set
27 out herein in dollars, shall be exempt from the provisions of said Uniform
28 Classification and Compensation Act. All persons occupying positions
29 authorized herein are hereby governed by the provisions of the Regular
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
31 successor.

32

		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
No.	Code	Title	Employees 1997-98 1998-99

1	(1) 9979 OES DIRECTOR	1	\$ 58,514	\$ 60,152
2	(2) 632Z OES DEP DIR CHIEF FIELD OPNS	1	GRADE 24	
3	(3) A057 OES ADMINISTRATIVE OFFICER	1	GRADE 21	
4	R193 OES PROGRAM OPERATIONS MANAGER	3		
5	D036 SR PROGRAMMER/ANALYST	1		
6	E008 OES TRAINING PROJECT MANAGER	1		
7	(4) E068 TRAINING & EDUCATION COORD EMER SVC	1	GRADE 19	
8	R064 EMERG SVCS AREA COORD	6		
9	(5) C006 COMMUNICATIONS SUPERVISOR	1	GRADE 18	
10	V040 PURCHASE AGENT II/PURCHASE AGENT	1		
11	R134 PLANNING SPECIALIST II	1		
12	A111 ACCOUNTANT	1		
13	(6) C017 TELECOMMUNICATIONS SUPERVISOR	1	GRADE 17	
14	R010 ADMINISTRATIVE ASSISTANT II	1		
15	G161 GENERAL MAINTENANCE REPAIRMAN	1		
16	R430 ADMINISTRATIVE OFFICER	1		
17	Y129 ELECTRONIC TECHNICIAN	2		
18	(7) C016 EMERG COMMUNICATION SPECIALIST	4	GRADE 16	
19	(8) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
20	(9) K153 SECRETARY II	<u>2</u>	GRADE 13	
21	MAX NO. OF EMPLOYEES	32		

22

23 SECTION 2. EXTRA HELP. There is hereby authorized, for the Office

24 of Emergency Services for the 1997-99 biennium, the following maximum number

25 of part-time or temporary employees, to be known as "Extra Help", payable from

26 funds appropriated herein for such purposes: one (1) temporary or part-time

27 employees, when needed, at rates of pay not to exceed those provided in the

28 Uniform Classification and Compensation Act, or its successor, or this act for

29 the appropriate classification.

30

31 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the Office

32 of Emergency Services, to be payable from the State General Services Fund

33 Account, for personal services and operating expenses of the Office of

34 Emergency Services for the biennial period ending June 30, 1999, the

35 following:

		FISCAL YEARS	
NO.		1997-98	1998-99
(01)	REGULAR SALARIES	\$ 938,070	\$ 963,542
(02)	EXTRA HELP	2,100	2,100
(03)	PERSONAL SERV MATCHING	283,785	288,868
(04)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	174,165	174,165
(B)	CONF. & TRVL.	32,342	32,342
(C)	PROF. FEES	5,000	5,000
(D)	CAP. OUTLAY	10,000	10,000
(E)	DATA PROC.	<u>0</u>	<u>0</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,445,462</u>	<u>\$ 1,476,017</u>

SECTION 4. REGULAR SALARIES - FEDERAL. There is hereby established for the Office of Emergency Services - Federal Operations for the 1997-99 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

		Maximum Annual Salary Rate			
		Maximum	Fiscal Years		
Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	1997-98	1998-99
(1)	R193	OES PROGRAM OPERATIONS MANAGER	4	GRADE 21	
	D036	SR PROGRAMMER/ANALYST	1		
(2)	X337	ENGINEER	1	GRADE 20	
	R266	MANAGEMENT PROJECT ANALYST II	1		
(3)	E074	TRAINING REPRESENTATIVE	1	GRADE 19	

1	(4) R134 PLANNING SPECIALIST II	6	GRADE 18
2	D034 PROGRAMMER ANALYST	1	
3	A111 ACCOUNTANT	1	
4	D128 P C SUPPORT SPECIALIST	1	
5	(5) R010 ADMINISTRATIVE ASSISTANT II	2	GRADE 17
6	(6) K153 SECRETARY II	1	GRADE 13
7	(7) K155 SECRETARY I	<u>1</u>	GRADE 11
8	MAX NO. OF EMPLOYEES	21	

SECTION 5. EXTRA HELP - FEDERAL. There is hereby authorized, for the Office of Emergency Services - Federal Operations for the 1997-99 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: eleven (11) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 6. APPROPRIATIONS - FEDERAL. There is hereby appropriated, to the Office of Emergency Services, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Office of Emergency Services - Federal Operations, for the biennial period ending June 30, 1999, the following:

ITEM	FISCAL YEARS	
NO.	1997-98	1998-99
(01) REGULAR SALARIES	\$ 527,785	\$ 542,085
(02) EXTRA HELP	10,000	10,000
(03) PERSONAL SERV MATCHING	163,339	166,194
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	499,918	499,918
(B) CONF. & TRVL.	182,300	182,300
(C) PROF. FEES	178,706	178,706
(D) CAP. OUTLAY	2,030,000	2,030,000
(E) DATA PROC.	0	0

1	(05) CHEMICAL DISPOSAL GRANTS	1,773,000	1,773,000
2	(06) SEMINAR CONTRACTS	<u>118,450</u>	<u>118,450</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 5,483,498</u>	<u>\$ 5,500,653</u>

4
5
6 SECTION 7. EXTRA HELP - DISASTER RELIEF GRANTS. There is hereby
7 authorized, for the Office of Emergency Services for the 1997-99 biennium, the
8 following maximum number of part-time or temporary employees, to be known as
9 "Extra Help", payable from funds appropriated herein for such purposes: nine
10 (9) temporary or part-time employees, when needed, at rates of pay not to
11 exceed those provided in the Uniform Classification and Compensation Act, or
12 its successor, or this act for the appropriate classification.

13
14 SECTION 8. APPROPRIATIONS - DISASTER RELIEF GRANTS. There is hereby
15 appropriated, to the Office of Emergency Services, to be payable from the
16 federal funds as designated by the Chief Fiscal Officer of the State, for
17 personal services and operating expenses, and grants and aid of the Office of
18 ~~Emergency Services for the biennial period ending June 30, 1999, the~~
19 following:

21	ITEM	FISCAL YEARS	
22	NO.	1997-98	1998-99
23	(01) REGULAR SALARIES	\$ 56,472	\$ 57,143
24	(02) EXTRA HELP	134,000	134,000
25	(03) PERSONAL SERV MATCHING	27,158	27,292
26	(04) MAINT. & GEN. OPERATION		
27	(A) OPER. EXPENSE	32,800	32,800
28	(B) CONF. & TRVL.	2,500	2,500
29	(C) PROF. FEES	2,000	2,000
30	(D) CAP. OUTLAY	10,000	10,000
31	(E) DATA PROC.	0	0
32	(05) DISASTER ASSISTANCE GRANTS	12,080,000	12,080,000
33	(06) POLITICAL SUBDIVISION GRANTS	<u>420,000</u>	<u>420,000</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 12,764,930</u>	<u>\$</u>
35	<u>12,765,735</u>		

1
 2 SECTION 9. REGULAR SALARIES - FIRE PROTECTION BOARD. There is hereby
 3 established for the Office of Emergency Services - Fire Protection Board for
 4 the 1997-99 biennium, the following maximum number of regular employees whose
 5 salaries shall be governed by the provisions of the Uniform Classification and
 6 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
 7 laws amendatory thereto. Provided, however, that any position to which a
 8 specific maximum annual salary is set out herein in dollars, shall be exempt
 9 from the provisions of said Uniform Classification and Compensation Act. All
 10 persons occupying positions authorized herein are hereby governed by the
 11 ~~provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas~~
 12 Code §21-5-101), or its successor.

Item	Class	No. of Employees	Maximum Annual Salary Rate	
			1997-98	1998-99
18	(1) 088Z OES FIRE SERVICES ADMINISTRATOR	1	GRADE 22	
19	(2) R009 ADMINISTRATIVE ASSISTANT I	<u>1</u>	GRADE 15	
20	MAX NO. OF EMPLOYEES	2		

21
 22 SECTION 10. APPROPRIATIONS - FIRE PROTECTION BOARD. There is hereby
 23 ~~appropriated, to the Office of Emergency Services, to be payable from the~~
 24 State General Services Fund Account, for personal services and operating
 25 expenses of the Office of Emergency Services - Fire Protection Board for the
 26 biennial period ending June 30, 1999, the following:

ITEM NO.		FISCAL YEARS	
		1997-98	1998-99
30	(01) REGULAR SALARIES	\$ 45,115	\$ 46,367
31	(02) PERSONAL SERV MATCHING	15,030	15,280
32	(03) MAINT. & GEN. OPERATION		
33	(A) OPER. EXPENSE	15,500	15,500
34	(B) CONF. & TRVL.	0	0
35	(C) PROF. FEES	1,000	1,000

1	(D) CAP. OUTLAY	2,000	2,000
2	(E) DATA PROC.	<u>0</u>	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 78,645</u>	<u>\$ 80,147</u>

4

5 SECTION 11. REGULAR SALARIES - HAZARDOUS MATERIALS EMERGENCY

6 MANAGEMENT. There is hereby established for the Office of Emergency Services

7 - Hazardous Materials Emergency Management for the 1997-99 biennium, the

8 following maximum number of regular employees whose salaries shall be governed

9 by the provisions of the Uniform Classification and Compensation Act (Arkansas

10 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.

11 Provided, however, that any position to which a specific maximum annual salary

12 is set out herein in dollars, shall be exempt from the provisions of said

13 Uniform Classification and Compensation Act. All persons occupying positions

14 ~~authorized herein are hereby governed by the provisions of the Regular~~

15 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its

16 successor.

17			Maximum Annual
18		Maximum	Salary Rate
19		No. of	Fiscal Years
20	Item Class	Employees	1997-98 1998-99
21	No. Code Title		
22	(1) R193 OES PROGRAM OPERATIONS MANAGER	1	GRADE 21
23	(2) E072 TRAINING INSTRUCTOR	1	GRADE 18
24	(3) R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17
25	(4) K153 SECRETARY II	<u>1</u>	GRADE 13
26	MAX NO. OF EMPLOYEES	4	

27

28 SECTION 12. APPROPRIATIONS - HAZARDOUS MATERIALS EMERGENCY MANAGEMENT.

29 There is hereby appropriated, to the Office of Emergency Services, to be

30 payable from the Office of Hazardous Materials Emergency Management Revolving

31 Fund, for personal services and operating expenses of the Office of Emergency

32 Services - Hazardous Materials Emergency Management for the biennial period

33 ending June 30, 1999, the following:

34

35 ITEM FISCAL YEARS

NO.	1997-98	1998-99
(01) REGULAR SALARIES	\$ 81,267	\$ 83,523
(02) PERSONAL SERV MATCHING	28,268	28,719
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	66,990	66,990
(B) CONF. & TRVL.	10,000	10,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) DATA PROCESSING SERVICES	<u>72,656</u>	<u>72,656</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 259,181</u>	<u>\$ 261,888</u>

SECTION 13. APPROPRIATIONS - EARTHQUAKE PREPAREDNESS PROGRAM. There is hereby appropriated, to the Office of Emergency Services, to be payable from the State General Services Fund Account, for grants and aids by the Office of Emergency Services - Earthquake Preparedness Program for the biennial period ending June 30, 1999 the following:

ITEM	FISCAL YEARS	
NO.	1997-98	1998-99
(01) EARTHQUAKE PREPAREDNESS GRANTS	<u>\$ 125,000</u>	<u>\$ 125,000</u>

SECTION 14. APPROPRIATIONS - EARTHQUAKE PREPAREDNESS PROGRAM. There is hereby appropriated, to the Office of Emergency Services, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for grants and aids by the Office of Emergency Services - Earthquake Preparedness Program for the biennial period ending June 30, 1999 the following:

ITEM	FISCAL YEARS	
NO.	1997-98	1998-99
(01) EARTHQUAKE PREPAREDNESS GRANTS	<u>\$ 125,000</u>	<u>\$ 125,000</u>

SECTION 15. APPROPRIATIONS - CASH. There is hereby appropriated, to the Office of Emergency Services, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Office of Emergency Services, for operating

1 expenses of the Office of Emergency Services - Cash for the biennial period
2 ending June 30, 1999, the following:

4 ITEM	FISCAL YEARS	
5 NO.	1997-98	1998-99
6 (01) MAINT. & GEN. OPERATION		
7 (A) OPER. EXPENSE	\$ 6,000	\$ 6,000
8 (B) CONF. & TRVL.	7,000	7,000
9 (C) PROF. FEES	0	0
10 (D) CAP. OUTLAY	14,000	14,000
11 (E) DATA PROC.	<u>0</u>	<u>0</u>
12 TOTAL AMOUNT APPROPRIATED	<u>\$ 27,000</u>	<u>\$ 27,000</u>

13
14 SECTION 16. APPROPRIATIONS. There is hereby appropriated to the Office
15 of Emergency Services, to be payable from the General Improvement Fund or its
16 successor fund or fund accounts, for repairs to the infrastructure of
17 Arkadelphia, Arkansas, the sum of \$2,000,000.

18
19 SECTION 17. APPROPRIATIONS. There is hereby appropriated, to the
20 Office of Emergency Services, to be payable from the Disaster Assistance Fund,
21 for the provision of Disaster Assistance grants by the Office of Emergency
22 Services to Washington County which has been declared a disaster area by the
23 Governor, for the sum of \$500,000.

24
25 SECTION 18. The Chief Fiscal Officer of the State may transfer on his
26 books and those of the State Treasurer an amount not to exceed five hundred
27 thousand (\$500,000), as is needed to provide funds to be expended under the
28 provision of Section 17 herein, from the Economic Development of Arkansas Fund
29 to the Disaster Assistance Fund to provide funds for the appropriation
30 provided herein.

31
32 ~~SECTION 19. SPECIAL LANGUAGE POSITION TRANSFER. Upon approval of the~~
33 Chief Fiscal Officer, the State Office of Emergency Services is hereby
34 authorized to transfer positions between appropriations as may be required
35 should a disaster occur which results in a Presidential Disaster Proclamation

1 and/or when an employee occupies one position which is to be paid from two or
2 more appropriations during a single fiscal year.

3

4 SECTION 20. (a) It is hereby found and determined by the General
5 Assembly that the city of Arkadelphia and its surrounding area was one of the
6 most tragically devastated areas in the recent tornado disaster and that the
7 extent of destruction in that area requires the establishment of an entity to
8 coordinate the efforts of rebuilding and revitalizing the Arkadelphia area.
9 This act therefore creates the Arkansas 2025 Commission to accomplish that
10 purpose and this act is to be construed and interpreted in its broadest sense
11 in order to provide maximum assistance to the residents of the Arkadelphia
12 area in recovering from the disaster.

13 (b) There is hereby created the Arkadelphia 2025 Commission to be
14 composed of the Mayor, City Manager, and Chairman of the City Planning
15 Commission of Arkadelphia, the Superintendent of the Arkadelphia Public School
16 District, the member of the Arkansas House of Representatives representing the
17 Arkadelphia area, the member of the Arkansas Senate representing the
18 Arkadelphia area, the County Judge of Clark County, the Presidents of Ouachita
19 Baptist University and Henderson State University, the President and Executive
20 Secretary of the Arkadelphia Chamber of Commerce, and at least an equal number
21 of citizens of the Arkadelphia area to be appointed by the members just named.
22 The Commission shall be as broadly based as possible to represent all the
23 diverse interests and to represent every race, gender, income level, and
24 geographic area.

25 (c) The Commission shall have the following powers and duties:

26 (1) Determine the immediate needs of Arkadelphia and its surrounding
27 area;

28 (2) Determine the long-range needs and opportunities of the Arkadelphia
29 area;

30 (3) Seek and expend funds from all sources, both public and private;

31 (4) Coordinate the activities of the various federal, state, and local
32 agencies as well as the private sector in providing for the economic, social,
33 and physical needs of the area;

34 (5) To serve as the lead agency in the rebuilding and revitalization of
35 the Arkadelphia area;

1 (6) Adopt bylaws and establish goals; and
2 (7) Perform all other powers and functions necessary to fulfill its
3 duties.

4 (d) The Commission shall be subject to audit by the Division of
5 Legislative Audit.

6
7 SECTION 21. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
8 authorized by this Act shall be limited to the appropriation for such agency
9 and funds made available by law for the support of such appropriations; and
10 the restrictions of the State Purchasing Law, the General Accounting and
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
12 Procedures and Restrictions Act, or their successors, and other fiscal control
13 laws of this State, where applicable, and regulations promulgated by the
14 Department of Finance and Administration, as authorized by law, shall be
15 strictly complied with in disbursement of said funds.

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

26
27 SECTION 23. CODE. All provisions of this Act of a general and
28 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
29 Arkansas Code Revision Commission shall incorporate the same in the Code.

30
31 SECTION 24. SEVERABILITY. If any provision of this Act or the
32 application thereof to any person or circumstance is held invalid, such
33 invalidity shall not affect other provisions or applications of the Act which
34 can be given effect without the invalid provision or application, and to this
35 end the provisions of this Act are declared to be severable.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SECTION 25. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 26. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-First 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, 1997 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, 1997 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and Sections 1 through 19 of 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, 1997.

It is hereby found and determined by the General Assembly that the city of Arkadelphia and its surrounding area was one of the most tragically devastated areas in the recent tornado disaster; that the extent of destruction in that area requires the establishment of an entity to coordinate the efforts of rebuilding and revitalizing the Arkadelphia area; and that this act creates the Arkansas 2025 Commission to accomplish that purpose. Therefore, an emergency is declared to exist and Section 20 of this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.

/s/JBC

APPROVED: 4-03-97

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12