

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: H3/6/97

A Bill

ACT 411 OF 1997
SENATE BILL 581

5 By: Senators Bell, Harriman, Ross, Hill, Dowd, Hopkins, Bradford, Beebe, Jeffries, Walters, Canada, Argue, Wyrick, Walker,
6 Hoofman, Gwatney, Russ, Edwards, Webb, Everett
7 By: Representatives Thicksten, Hunton, Hall, DeLay, Pollan, McGehee, Wilkinson, Ammons, Faris, Teague, Beatty,
8 Rodgers, Mullenix, Malone, J. Smith, Broadway, Kidd, Lancaster, Stalnacker, Keltner, Thomas, Jones, Magnus, Booker, Ferrell,
9 Brown, Bennett, Vess, Dietz, Molinaro, D. Hudson, Bond, Walker, Choate, Fletcher, Davis, Baker, Northcutt, Simmons,
10 Wooldridge, Luker
11
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For An Act To Be Entitled

13
14 "AN ACT TO MAKE AN APPROPRIATION FOR THE PROVISION OF
15 DISASTER ASSISTANCE GRANTS BY THE OFFICE OF EMERGENCY
16 SERVICES TO THOSE COUNTIES WHICH HAVE BEEN DECLARED
17 DISASTER AREAS BY THE PRESIDENT OF THE UNITED STATES SINCE
18 JULY 1, 1995, FOR THE DEPARTMENT OF FINANCE AND
19 ADMINISTRATION - DISBURSING OFFICER WHICH SHALL BE
20 SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED
21 BY ACT 69 OF 1995; AND FOR OTHER PURPOSES."
22

Subtitle

23
24 "AN ACT FOR THE DEPARTMENT OF FINANCE
25 AND ADMINISTRATION - DISBURSING OFFICER
26 DISASTER ASSISTANCE GRANTS SUPPLEMENTAL
27 APPROPRIATION."
28

29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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31 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
32 Department of Finance and Administration - Disbursing Officer, to be payable
33 from the Disaster Assistance Fund, for the provision of Disaster Assistance
34 Grants by the Office of Emergency Services to those counties which have been
35 declared disaster areas by the President of the United States since July 1,
36 1995, which shall be supplemental and in addition to those funds appropriated

1 in Section 1 of Act 69 of 1995, the following:

2

3 ITEM	FISCAL YEAR
4 NO.	1996-97
5 (01) Crawford County	\$500,000
6 (02) Sebastian County	\$500,000
7 (03) Clark County	\$500,000
8 (04) Cross County	\$500,000
9 (05) Greene County	\$500,000
10 (06) Hempstead County	\$500,000
11 (07) Jackson County	\$500,000
12 (08) Lonoke County	\$500,000
13 (09) Nevada County	\$500,000
14 (10) Pulaski County	\$500,000
15 (11) Madison County	<u>\$500,000</u>
16 (12) Saline County	\$500,000
17 Total Amount Appropriated	<u>\$ 6,000,000</u>

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19 SECTION 2. FUNDING TRANSFER. Immediately upon the effective date of
 20 this Act, the Chief Fiscal Officer of the State shall transfer on his books
 21 and those of the State Treasurer the sum of six million (\$6,000,000) from the
 22 Economic Development of Arkansas Fund to the Disaster Assistance Fund to
 23 provide funds for the appropriation provided herein.

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25 SECTION 3. Upon a State declaration of disaster as defined in
 26 A.C.A. §12-75-103(2), the Quorum Court or a local governmental entity of the
 27 counties named in Section 1 of this act may request of the Director of the
 28 State Office of Emergency Services a disbursement of the funds appropriated by
 29 this Act. Upon certification by the Director of the State Office of Emergency
 30 Services that the request is consistent with the provisions of the "Arkansas
 31 Emergency Services Act of 1973," the Chief Fiscal Officer of the State may
 32 approve disbursement of the funds appropriated in this Act for the purpose of
 33 responding to and mitigating the effects of such disaster. Funds appropriated
 34 in this Act are to supplement county and local expenses which are not
 35 reimbursable under Federal disaster recovery programs, but for which

1 *extraordinary means are required.*

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4 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
5 authorized by this Act shall be limited to the appropriation for such agency
6 and funds made available by law for the support of such appropriations; and
7 the restrictions of the State Purchasing Law, the General Accounting and
8 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
9 Procedures and Restrictions Act, or their successors, and other fiscal control
10 laws of this State, where applicable, and regulations promulgated by the
11 Department of Finance and Administration, as authorized by law, shall be
12 strictly complied with in disbursement of said funds.

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14 SECTION 5. 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 6. CODE. All provisions of this Act of a general and permanent
24 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
25 Code Revision Commission shall incorporate the same in the Code.

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

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

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1 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
2 Eighty-First General Assembly that funds provided by the General Assembly for
3 the operations of the Department of Finance and Administration - Disbursing
4 Officer are, due to unforeseen circumstances, insufficient for the Department
5 of Finance and Administration - Disbursing Officer to continue to provide
6 essential governmental services; that the provisions of this act will provide
7 the necessary monies for the Department of Finance and Administration -
8 Disbursing Officer to continue such services; and that a delay in the
9 effective date of this Act could work irreparable harm upon the proper
10 administration and provision of essential governmental programs. Therefore,
11 an emergency is hereby declared to exist and this Act being necessary for the
12 immediate preservation of the public peace, health and safety shall be in full
13 force and effect from and after the date of its passage and approval.

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/s/Sen. Bell et al

APPROVED:3-10-97

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