

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

# A Bill

ACT 459 OF 1997  
SENATE BILL 326

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

8  
9 "AN ACT TO MAKE AN APPROPRIATION TO THE OFFICE OF  
10 EMERGENCY SERVICES FOR MAJOR MAINTENANCE, EQUIPMENT AND  
11 OTHER VARIOUS IMPROVEMENT EXPENSES; AND FOR OTHER  
12 PURPOSES."  
13

## Subtitle

14  
15 "AN ACT FOR THE OFFICE OF EMERGENCY  
16 SERVICES CAPITAL IMPROVEMENT  
17 APPROPRIATION."  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the Office  
22 of Emergency Services, to be payable from the General Improvement Fund or its  
23 successor fund or fund accounts, the following:

24 (A) For replacement of the HVAC System and related expenses in the  
25 State Emergency Operations Center, the sum of .....\$95,000.  
26

27 (B) For replacement of emergency power generator with above ground  
28 generator and fuel tank and related expenses, the sum of .....\$37,500.  
29

30 (C) For removal of 30 year old underground storage tank and related  
31 expenses, the sum of .....\$5,000.  
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33 SECTION 2. APPROPRIATIONS - FEDERAL. There is hereby appropriated, to  
34 the Office of Emergency Services, to be payable from the federal funds as  
35 designated by the Chief Fiscal Officer of the State, the following:

36 (A) For replacement of the HVAC System and related expenses in the

1 State Emergency Operations Center, the sum of .....\$95,000.

2

3 (B) For replacement of emergency power generator with above ground  
4 generator and fuel tank and related expenses, the sum of .....\$37,500.

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6 (C) For removal of 30 year old underground storage tank and related  
7 expenses, the sum of .....\$5,000.

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9 SECTION 3. APPROPRIATIONS - SPECIAL. There is hereby appropriated, to  
10 the Office of Emergency Services, to be payable from the Office of Hazardous  
11 Materials Emergency Management Revolving Fund, the following:

12 (A) For major repair and renovation of the office space for the Office  
13 of Hazardous Materials, the sum of .....\$50,000.

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15 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
16 obligations otherwise incurred in relation to the project or projects  
17 described herein in excess of the State Treasury funds actually available  
18 therefor as provided by law. Provided, however, that institutions and  
19 agencies listed herein shall have the authority to accept and use grants and  
20 donations including Federal funds, and to use its unobligated cash income or  
21 funds, or both available to it, for the purpose of supplementing the State  
22 Treasury funds for financing the entire costs of the project or projects  
23 enumerated herein. Provided further, that the appropriations and funds  
24 otherwise provided by the General Assembly for Maintenance and General  
25 Operations of the agency or institutions receiving appropriation herein shall  
26 not be used for any of the purposes as appropriated in this Act.

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

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35 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations  
2 contained in this Act shall be in compliance with the stated reasons for which  
3 this Act was adopted, as evidenced by the Agency Requests, Executive  
4 Recommendations and Legislative Recommendations contained in the budget  
5 manuals prepared by the Department of Finance and Administration, letters, or  
6 summarized oral testimony in the official minutes of the Arkansas Legislative  
7 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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22 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
23 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
24 prohibits the appropriation of funds for more than a two (2) year period; that  
25 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
26 the agency for which the appropriations in this Act are provided, and that in  
27 the event of an extension of the Regular Session, the delay in the effective  
28 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
29 proper administration and provision of essential governmental programs.  
30 Therefore, an emergency is hereby declared to exist and this Act being  
31 necessary for the immediate preservation of the public peace, health and  
32 safety shall be in full force and effect from and after July 1, 1997.

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APPROVED:3-12-97

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