

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

# A Bill

Act 159 of 1999  
SENATE BILL 269

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
10 IMPROVEMENT APPROPRIATIONS FOR THE OFFICE OF EMERGENCY  
11 SERVICES; AND FOR OTHER PURPOSES. "  
12

## Subtitle

13 "AN ACT FOR THE OFFICE OF EMERGENCY  
14 SERVICES REAPPROPRIATION. "  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. REAPPROPRIATION - STATE. There is hereby appropriated, to the  
21 Office of Emergency Services, to be payable from the General Improvement Fund  
22 or its successor fund or fund accounts, for the Office of Emergency Services,  
23 the following:

24 (A) Effective July 1, 1999, the balance of the appropriation provided in  
25 Item (A) of Section 1 of Act 459 of 1997, for replacement of the HVAC System  
26 and related expenses in the State Emergency Operations Center, in a sum not to  
27 exceed .....\$90,748.  
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29 (B) Effective July 1, 1999, the balance of the appropriation provided in  
30 Item (B) of Section 1 of Act 459 of 1997, for the replacement of emergency  
31 power generator with above ground generator and fuel tank and related  
32 expenses, in a sum not to exceed.....\$33,248.  
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34 SECTION 2. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to the  
35 Office of Emergency Services, to be payable from the federal funds as  
36 designated by the Chief Fiscal Officer of the State, for the Office of

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1 Emergency Services, the following:

2 (A) Effective July 1, 1999, the balance of the appropriation provided in  
3 Item (A) of Section 2 of Act 459 of 1997, for replacement of the HVAC System  
4 and related expenses in the State Emergency Operations Center, in a sum not to  
5 exceed .....\$90,554.

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7 (B) Effective July 1, 1999, the balance of the appropriation provided in  
8 Item (B) of Section 2 of Act 459 of 1997, for replacement of emergency power  
9 generator with above ground generator and fuel tank and related expenses, in a  
10 sum not to exceed.....\$33,248.

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12 (C) Effective July 1, 1999, the balance of the appropriation provided in  
13 Item (C) of Section 2 of Act 459 of 1997, for removal of an over 30 year old  
14 underground storage tank and related expenses, in a sum not to exceed  
15 .....\$5,000.

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17 (D) Effective July 1, 1999, the balance of the appropriation provided in  
18 Section 6 of Act 1069 of 1997 and in Section 21 of Act 1350 of 1997, for  
19 renovations, repairs and various construction related services, in a sum not  
20 to exceed.....\$152,947.

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22 (E) Effective July 1, 1999, the balance of the appropriation provided in  
23 Section 8 of Act 1069 of 1997 and in Section 21 of Act 1350 of 1997, for  
24 renovations, repairs and various construction related services for disaster  
25 relief grants, in a sum not to exceed .....\$120,000.

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27 SECTION 3. REAPPROPRIATION - SPECIAL. There is hereby appropriated, to the  
28 Office of Emergency Services, to be payable from the Office of Hazardous  
29 Materials Emergency Management Revolving Fund, for the Office of Emergency  
30 Services, the following:

31 (A) Effective July 1, 1999, the balance of the appropriation provided in  
32 Item (A) of Section 3 of Act 459 of 1997, for major repair and renovation of  
33 the office space for the Office of Hazardous Materials, in a sum not to exceed  
34 .....\$47,500.

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36 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor

1 obligations otherwise incurred in relation to the project or projects  
2 described herein in excess of the State Treasury funds actually available  
3 therefor as provided by law. Provided, however, that institutions and  
4 agencies listed herein shall have the authority to accept and use grants and  
5 donations including Federal funds, and to use its unobligated cash income or  
6 funds, or both available to it, for the purpose of supplementing the State  
7 Treasury funds for financing the entire costs of the project or projects  
8 enumerated herein. Provided further, that the appropriations and funds  
9 otherwise provided by the General Assembly for Maintenance and General  
10 Operations of the agency or institutions receiving appropriation herein shall  
11 not be used for any of the purposes as appropriated in this act.

12 (B) The restrictions of any applicable provisions of the State Purchasing  
13 Law, the General Accounting and Budgetary Procedures Law, the Revenue  
14 Stabilization Law and any other applicable fiscal control laws of this State  
15 and regulations promulgated by the Department of Finance and Administration,  
16 as authorized by law, shall be strictly complied with in disbursement of any  
17 funds provided by this act unless specifically provided otherwise by law.

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19 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly  
20 that any funds disbursed under the authority of the appropriations contained  
21 in this act shall be in compliance with the stated reasons for which this act  
22 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
23 and Legislative Recommendations contained in the budget manuals prepared by  
24 the Department of Finance and Administration, letters, or summarized oral  
25 testimony in the official minutes of the Arkansas Legislative Council or Joint  
26 Budget Committee which relate to its passage and adoption.

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

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

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

SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects provided or enumerated in this act; that certain appropriations will expire before the adjournment of the General Assembly; and that if such appropriations expire, the projects and programs authorized herein will cease thereby depriving the citizens of the State of the benefits to be derived from such projects. 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 the date of its passage and approval. 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.

APPROVED: 2/18/1999