

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

As Engrossed: S2/15/99

A Bill

Act 383 of 1999
HOUSE BILL 1349

5 By: Representatives Morris, Bevis, Broadway, Hathorn, Kidd, Lavery, P. Malone, Minton, Oglesby
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 12-85-102 AND 12-85-
10 103(a) TO PERMIT EMPLOYEES OF STATE-SUPPORTED
11 INSTITUTIONS OF HIGHER LEARNING TO PARTICIPATE IN
12 DISASTER VOLUNTEER SERVICE UNDER THE DISASTER SERVICE
13 VOLUNTEER ACT; AND FOR OTHER PURPOSES. "
14

Subtitle

15 "TO PERMIT EMPLOYEES OF STATE-SUPPORTED
16 INSTITUTIONS OF HIGHER LEARNING TO
17 PARTICIPATE IN DISASTER VOLUNTEER
18 SERVICE UNDER THE DISASTER SERVICE
19 VOLUNTEER ACT. "
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22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code 12-85-102 is amended to read as follows:

26 "12-85-102. Terms of leave.

27 (a) An employee of a state agency or an employee of a state-supported
28 institution of higher learning who is trained and certified as a disaster
29 service volunteer by the American Red Cross, whose specialized disaster relief
30 services are requested by the Red Cross in connection with a disaster, and who
31 obtains consent from the chief executive officer of his or her state agency or
32 state-supported institution of higher learning may be granted leave from work
33 with pay for not more than fifteen (15) working days in any twelve-month
34 period to participate in specialized disaster relief, without loss of
35 seniority, pay, annual leave, sick leave, compensatory time, offset time, or
36 overtime wages.

1 (b) The state agency or state-supported institution of higher learning
2 shall compensate an employee granted leave under this section at the
3 employee's regular rate of pay for those regular work hours during which the
4 employee is absent from work.

5 (c) Leave under this subchapter shall be granted only for disaster
6 relief services occurring within the State of Arkansas or for disaster relief
7 services occurring within states contiguous to the State of Arkansas.

8 (d) An employee deemed to be on leave under this chapter shall not be
9 deemed to be an employee of the state or of a state-supported institution of
10 higher learning for purposes of workers' compensation."

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12 SECTION 2. Arkansas Code 12-85-103(a) is amended to read as follows:

13 "(a) Notwithstanding the provisions of § 12-85-102, state employees and
14 employees of state-supported institutions of higher learning certified as
15 disaster service volunteers shall not exceed one hundred (100) participants at
16 any one (1) time. A list of such employees shall be maintained by the American
17 Red Cross with pertinent information provided to the state employer or state-
18 supported institution of higher learning of each disaster service volunteer."

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20 SECTION 3. All provisions of this act of a general and permanent nature
21 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
22 Revision Commission shall incorporate the same in the Code.

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24 SECTION 4. If any provision of this act or the application thereof to
25 any person or circumstance is held invalid, such invalidity shall not affect
26 other provisions or applications of the act which can be given effect without
27 the invalid provision or application, and to this end the provisions of this
28 act are declared to be severable.

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30 SECTION 5. All laws and parts of laws in conflict with this act are
31 hereby repealed.

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33 SECTION 6. EMERGENCY CLAUSE. It is hereby found and determined by the
34 Eighty-second General Assembly that due to the recent damage caused by
35 tornadoes in this state the additional leave grant by this act will enable
36 more personnel to participate in the disaster relief efforts. Therefore, an

1 emergency is declared to exist and this act being immediately necessary for
2 the preservation of the public peace, health and safety shall become effective
3 on the date of its approval by the Governor. If the bill is neither approved
4 nor vetoed by the Governor, it shall become effective on the expiration of the
5 period of time during which the Governor may veto the bill. If the bill is
6 vetoed by the Governor and the veto is overridden, it shall become effective
7 on the date of the last house overrides the veto.

8 /s/ Morri

APPROVED: 3/2/99s