

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

# A Bill

Act 98 of 2003  
HOUSE BILL 1208

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 STATE MILITARY  
11 DEPARTMENT; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

15 AN ACT FOR THE STATE MILITARY  
16 DEPARTMENT REAPPROPRIATION.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. REAPPROPRIATION - FEDERAL FUNDS. There is hereby appropriated,  
22 to the State Military Department, to be payable from the federal funds as  
23 designated by the Chief Fiscal Officer of the State, for the State Military  
24 Department, the following:

25 (A) Effective July 1, 2003, the balance of the appropriation provided in  
26 Item (I) of Section 1 of Act 189 of 2001, for constructing and equipping the  
27 National Guard Armory in Benton, Arkansas, in a sum not to exceed ..\$143,046.

28 (B) Effective July 1, 2003, the balance of the appropriation provided in  
29 Item (J) of Section 1 of Act 189 of 2001, for constructing and equipping the  
30 National Guard Armory in Warren, Arkansas, in a sum not to exceed  
31 .....\$2,049,535.

32 (C) Effective July 1, 2003, the balance of the appropriation provided in  
33 Item (K) of Section 1 of Act 189 of 2001, for constructing and equipping the  
34 National Guard Armory and Organizational Maintenance Shop in Hazen, Arkansas,  
35 in a sum not to exceed .....\$22,755.

36 (D) Effective July 1, 2003, the balance of the appropriation provided in



1 Item (L) of Section 1 of Act 189 of 2001, for constructing and equipping a  
2 National Guard Military Operations Urban Terrain (MOUT) Training Facility, in  
3 a sum not to exceed .....\$3,575,560.

4 (E) Effective July 1, 2003, the balance of the appropriation provided in  
5 Item (N) of Section 1 of Act 189 of 2001, for constructing and equipping the  
6 National Guard Organizational Maintenance Shop in Jonesboro, Arkansas, in a  
7 sum not to exceed .....\$1,970,520.

8 (F) Effective July 1, 2003, the balance of the appropriation provided in  
9 Section 2 of Act 433 of 2001, for an addition to the Aviation Armory at Camp  
10 Robinson for mission support and to achieve combat readiness objectives, in a  
11 sum not to exceed .....\$1,872,283.

12 (G) Effective July 1, 2003, the balance of the appropriation provided in  
13 Section 1 of Act 433 of 2001, for construction of an Army aviation support  
14 facility and hangar for new tactical helicopter equipment and personnel, in a  
15 sum not to exceed .....\$22,700,000.

16 (H) Effective July 1, 2003, the balance of the appropriation provided in  
17 Item (Q) of Section 1 of Act 189 of 2001, for construction and utility  
18 upgrades by the State Military Department, in a sum not to exceed ..\$381,070.

19 (I) Effective July 1, 2003, the balance of the appropriation provided in  
20 Item (A) of Section 1 of Act 189 of 2001, for construction and related  
21 expenses for a Combined Support Maintenance Shop, in a sum not to exceed  
22 .....\$11,100,724.

23 (J) Effective July 1, 2003, the balance of the appropriation provided in  
24 Item (C) of Section 1 of Act 189 of 2001, for construction and related  
25 expenses for an Ammunition Supply Point at Camp Robinson, in a sum not to  
26 exceed .....\$3,544,800.

27 (K) Effective July 1, 2003, the balance of the appropriation provided in  
28 Item (D) of Section 1 of Act 189 of 2001, for construction and related  
29 expense for a Centralized Vehicle Wash Facility for cleaning heavy/tracked  
30 vehicles, to provide vehicle maintenance for mechanized or tracked units and  
31 related services, in a sum not to exceed .....\$1,065,500.

32 (L) Effective July 1, 2003, the balance of the appropriation provided in  
33 Item (E) of Section 1 of Act 189 of 2001, for construction and related  
34 expenses for an Organizational Maintenance Shop in Searcy, Arkansas, in a sum  
35 not to exceed .....\$1,373,986.

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1 SECTION 2. REAPPROPRIATION - GENERAL IMPROVEMENT FUNDS. There is hereby  
2 appropriated, to the State Military Department, to be payable from the  
3 General Improvement Fund or its successor fund or fund accounts, for the  
4 State Military Department, the following:

5 (A) Effective July 1, 2003, the balance of the appropriation provided in  
6 Item (B) of Section 2 of Act 189 of 2001, for Phase I and II Armory  
7 Rehabilitation Projects, for major repairs, renovations and construction  
8 related projects for armories, in a sum not to exceed .....\$149,069.

9 (B) Effective July 1, 2003, the balance of the appropriation provided in  
10 Item (C) of Section 2 of Act 189 of 2001, for construction, major  
11 maintenance, repairs, asphalt paving and associated expenses at various  
12 National Guard Armories including Warren, Mountain Home, West Memphis and an  
13 Aviation Armory at Camp Robinson, in a sum not to exceed .....\$1,650,000.

14 (C) Effective July 1, 2003, the balance of the appropriation provided in  
15 Section 4 of Act 433 of 2001, for the rehabilitation of National Guard  
16 armories throughout the State to ensure combat and State emergency readiness,  
17 in a sum not to exceed .....\$1,430,000.

18 (D) Effective July 1, 2003, the balance of the appropriation provided in  
19 Section 5 of Act 433 of 2001, for the modification of existing buildings and  
20 parking lots, to comply with the Americans with Disabilities Act, in a sum  
21 not to exceed .....\$174,800.  
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23 SECTION 3. REAPPROPRIATION - MISCELLANEOUS REVENUE. There is hereby  
24 appropriated, to the State Military Department, to be payable from the Armory  
25 Construction Fund, for the State Military Department, the following:

26 (A) Effective July 1, 2003, the balance of the appropriation provided in  
27 Item (A) of Section 3 of Act 189 of 2001, for repair, construction,  
28 renovation, landscaping and maintenance of armories, hangars, and other  
29 properties held for the use and benefit of the Arkansas National Guard, in a  
30 sum not to exceed .....\$128,292.  
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32 SECTION 4. REAPPROPRIATION - CASH FUNDS. There is hereby appropriated, to  
33 the State Military Department, to be payable from the cash fund deposited in  
34 the State Treasury as determined by the Chief Fiscal Officer of the State,  
35 for the State Military Department, the following:

36 (A) Effective July 1, 2003, the balance of the appropriation provided in

1 Item (A) of Section 4 of Act 189 of 2001, for construction and construction  
2 related services at the Armory in Hazen, Arkansas, in a sum not to exceed  
3 .....\$42,159.  
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5 SECTION 5. REAPPROPRIATION - TRUST FUNDS. There is hereby appropriated, to  
6 the State Military Department, to be payable from the Arkansas Natural and  
7 Cultural Resources Grant and Trust Fund, for the State Military Department,  
8 the following:

9 (A) Effective July 1, 2003, the balance of the appropriation provided in  
10 Section 22 of Act 1102 of 2001, for operating expenses to provide for  
11 restoration of a Civil War Flag, in a sum not to exceed .....\$5,000.  
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13 SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
14 obligations otherwise incurred in relation to the project or projects  
15 described herein in excess of the State Treasury funds actually available  
16 therefor as provided by law. Provided, however, that institutions and  
17 agencies listed herein shall have the authority to accept and use grants and  
18 donations including Federal funds, and to use its unobligated cash income or  
19 funds, or both available to it, for the purpose of supplementing the State  
20 Treasury funds for financing the entire costs of the project or projects  
21 enumerated herein. Provided further, that the appropriations and funds  
22 otherwise provided by the General Assembly for Maintenance and General  
23 Operations of the agency or institutions receiving appropriation herein shall  
24 not be used for any of the purposes as appropriated in this act.

25 (B) The restrictions of any applicable provisions of the State Purchasing  
26 Law, the General Accounting and Budgetary Procedures Law, the Revenue  
27 Stabilization Law and any other applicable fiscal control laws of this State  
28 and regulations promulgated by the Department of Finance and Administration,  
29 as authorized by law, shall be strictly complied with in disbursement of any  
30 funds provided by this act unless specifically provided otherwise by law.  
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32 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly  
33 that any funds disbursed under the authority of the appropriations contained  
34 in this act shall be in compliance with the stated reasons for which this act  
35 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
36 and Legislative Recommendations contained in the budget manuals prepared by

1 the Department of Finance and Administration, letters, or summarized oral  
2 testimony in the official minutes of the Arkansas Legislative Council or  
3 Joint Budget Committee which relate to its passage and adoption.

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5 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
6 Assembly, that the Constitution of the State of Arkansas prohibits the  
7 appropriation of funds for more than a two (2) year period; that previous  
8 General Assemblies have provided appropriations for the projects provided or  
9 enumerated in this act; that certain appropriations will expire before the  
10 adjournment of the General Assembly; and that if such appropriations expire,  
11 the projects and programs authorized herein will cease thereby depriving the  
12 citizens of the State of the benefits to be derived from such projects.  
13 Therefore, an emergency is hereby declared to exist and this Act being  
14 necessary for the immediate preservation of the public peace, health and  
15 safety shall be in full force and effect from and after the date of its  
16 passage and approval. If the bill is neither approved nor vetoed by the  
17 Governor, it shall become effective on the expiration of the period of time  
18 during which the Governor may veto the bill. If the bill is vetoed by the  
19 Governor and the veto is overridden, it shall become effective on the date  
20 the last house overrides the veto.

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23 APPROVED: 2/10/2003  
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