

**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.
Act 120 of the Regular Session**

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

HOUSE BILL 1342

5 By: Joint Budget Committee
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For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS
DEPARTMENT OF EMERGENCY MANAGEMENT; AND FOR
OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS DEPARTMENT OF
EMERGENCY MANAGEMENT REAPPROPRIATION.

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REAPPROPRIATION - FEDERAL FUNDS. There is hereby appropriated,
23 to the Arkansas Department of Emergency Management, to be payable from the
24 federal funds as designated by the Chief Fiscal Officer of the State, for the
25 Arkansas Department of Emergency Management, the following:

26 (A) Effective July 1, 2005, the balance of the appropriation provided in
27 Item (A) of Section 2 of Act 224 of 2003, for construction and other
28 associated costs of a primary Emergency Operations Center, in a sum not to
29 exceed\$5,000,000.
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31 SECTION 2. REAPPROPRIATION - GENERAL IMPROVEMENT FUND. There is hereby
32 appropriated, to the Arkansas Department of Emergency Management, to be
33 payable from the General Improvement Fund or its successor fund or fund
34 accounts, for the Arkansas Department of Emergency Management, the following:

35 (A) Effective July 1, 2005, the balance of the appropriation provided in



1 Item (A) of Section 1 of Act 317 of 2003, for state assistance to the
2 Washington County Department of Emergency Management for equipment and
3 training, in a sum not to exceed\$161,493.
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5 SECTION 3. REAPPROPRIATION - CASH FUND. There is hereby appropriated, to
6 the Arkansas Department of Emergency Management, to be payable from the cash
7 funds as defined by Arkansas Code 19-4-801, for the Arkansas Department of
8 Emergency Management, the following:

9 (A) Effective July 1, 2005, the balance of the appropriation provided in
10 Item (A) of Section 3 of Act 224 of 2003, for construction and other
11 associated costs of a primary Emergency Operations Center, in a sum not to
12 exceed\$3,375,000.
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14 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
15 obligations otherwise incurred in relation to the project or projects
16 described herein in excess of the State Treasury funds actually available
17 therefor as provided by law. Provided, however, that institutions and
18 agencies listed herein shall have the authority to accept and use grants and
19 donations including Federal funds, and to use its unobligated cash income or
20 funds, or both available to it, for the purpose of supplementing the State
21 Treasury funds for financing the entire costs of the project or projects
22 enumerated herein. Provided further, that the appropriations and funds
23 otherwise provided by the General Assembly for Maintenance and General
24 Operations of the agency or institutions receiving appropriation herein shall
25 not be used for any of the purposes as appropriated in this act.

26 (B) The restrictions of any applicable provisions of the State Purchasing
27 Law, the General Accounting and Budgetary Procedures Law, the Revenue
28 Stabilization Law and any other applicable fiscal control laws of this State
29 and regulations promulgated by the Department of Finance and Administration,
30 as authorized by law, shall be strictly complied with in disbursement of any
31 funds provided by this act unless specifically provided otherwise by law.
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33 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
34 that any funds disbursed under the authority of the appropriations contained
35 in this act shall be in compliance with the stated reasons for which this act
36 was adopted, as evidenced by the Agency Requests, Executive Recommendations

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

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

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24 APPROVED: 2/10/2005
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