

**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 141 of the Regular Session**

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

A Bill

HOUSE BILL 1388

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
IMPROVEMENT APPROPRIATIONS FOR THE STATE MILITARY
DEPARTMENT; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE STATE MILITARY
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, 2005, the balance of the appropriation provided in
26 Item (G) of Section 1 of Act 98 of 2003, for construction of an Army aviation
27 support facility and hangar for new tactical helicopter equipment and
28 personnel, in a sum not to exceed\$22,700,000.
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30 (B) Effective July 1, 2005, the balance of the appropriation provided in
31 Item (I) of Section 1 of Act 98 of 2003, for construction and related
32 expenses for a Combined Support Maintenance Shop, in a sum not to exceed
33\$11,100,724.
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35 (C) Effective July 1, 2005, the balance of the appropriation provided in



1 Item (J) of Section 1 of Act 98 of 2003, for construction and related
2 expenses for an Ammunition Supply Point at Camp Robinson, in a sum not to
3 exceed\$3,544,800.
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5 (D) Effective July 1, 2005, the balance of the appropriation provided in
6 Item (K) of Section 1 of Act 98 of 2003, for construction and related expense
7 for a Centralized Vehicle Wash Facility for cleaning heavy/tracked vehicles,
8 to provide vehicle maintenance for mechanized or tracked units and related
9 services, in a sum not to exceed\$1,065,500.
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11 (E) Effective July 1, 2005, the balance of the appropriation provided in
12 Item (L) of Section 1 of Act 98 of 2003, for construction and related
13 expenses for an Organizational Maintenance Shop in Searcy, Arkansas, in a sum
14 not to exceed\$1,373,986.
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16 (F) Effective July 1, 2005, the balance of the appropriation provided in
17 Item (B) of Section 1 of Act 98 of 2003, for constructing and equipping the
18 National Guard Armory in Warren, Arkansas, in a sum not to exceed ..\$184,280.
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20 (G) Effective July 1, 2005, the balance of the appropriation provided in
21 Item (D) of Section 1 of Act 98 of 2003, for constructing and equipping a
22 National Guard Military Operations Urban Terrain (MOUT) Training Facility ,
23 in a sum not to exceed\$3,575,560.
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25 (H) Effective July 1, 2005, the balance of the appropriation provided in
26 Item (E) of Section 1 of Act 98 of 2003, for constructing and equipping the
27 National Guard Organizational Maintenance Shop in Jonesboro, Arkansas, in a
28 sum not to exceed\$1,970,520.
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30 (I) Effective July 1, 2005, the balance of the appropriation provided in
31 Item (A) of Section 2 of Act 161 of 2003, for building an Army Aviation
32 Support Facility with a hanger and administrative space, in a sum not to
33 exceed\$35,256,300.
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35 (J) Effective July 1, 2005, the balance of the appropriation provided in
36 Item (C) of Section 2 of Act 161 of 2003, for construction of a new

1 Ammunition Supply Point at Fort Chaffee Maneuver Training Center for
2 amunition storage, handling, shipment and administration, in a sum not to
3 exceed\$14,431,473.
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5 (K) Effective July 1, 2005, the balance of the appropriation provided in
6 Item (D) of Section 2 of Act 161 of 2003, for an 89 person readiness center
7 of permanent construction for the Warren Armory, in a sum not to exceed
8\$2,923,743.
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10 (L) Effective July 1, 2005, the balance of the appropriation provided in
11 Item (E) of Section 2 of Act 161 of 2003, for construction of an access
12 control booth and electrically powered gates for traffic control/access to
13 the main entrance at Camp Robinson, in a sum not to exceed\$14,376,300.
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15 (M) Effective July 1, 2005, the balance of the appropriation provided in
16 Item (F) of Section 2 of Act 161 of 2003, for construction of a new
17 Ammunition Supply Point at Camp Robinson for ammunition storage, handling,
18 shipment and administration, in a sum not to exceed\$3,536,300.
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20 (N) Effective July 1, 2005, the balance of the appropriation provided in
21 Item (G) of Section 2 of Act 161 of 2003, for construction of an access
22 control booth and electrically powered gates for traffic control/access to
23 the main entrance at the Fort Chaffee Maneuver Training Center, in a sum not
24 to exceed\$1,952,500.
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26 (O) Effective July 1, 2005, the balance of the appropriation provided in
27 Item (H) of Section 2 of Act 161 of 2003, for construction of a "contonement"
28 or "central facility" area fence for the training area at Camp Robinson to
29 meet current anti-terrorism/force protection requirements, in a sum not to
30 exceed\$3,663,000.
31

32 (P) Effective July 1, 2005, the balance of the appropriation provided in
33 Item (I) of Section 2 of Act 161 of 2003, for construction of a "contonement"
34 or "central facility" area fence for the training area at Fort Chaffee
35 Maneuver Training Center to meet current anti-terrorism/force protection
36 requirements, in a sum not to exceed\$3,663,000.

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(Q) Effective July 1, 2005, the balance of the appropriation provided in Item (J) of Section 2 of Act 161 of 2003, for construction of an additional thirty-five (35) miles of fencing for the training area at Camp Robinson to meet current anti-terrorism/force protection requirements, in a sum not to exceed\$3,663,000.

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

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 2 of Act 98 of 2003, for Phase I and II Armory Rehabilitation Projects, for major repairs, renovations and construction related projects for armories, in a sum not to exceed\$84,728.

(B) Effective July 1, 2005, the balance of the appropriation provided in Item (B) of Section 2 of Act 98 of 2003, for construction, major maintenance, repairs, asphalt paving and associated expenses at various National Guard Armories including Warren, Mountain Home, West Memphis and an Aviation Armory at Camp Robinson, in a sum not to exceed\$1,602,560.

(C) Effective July 1, 2005, the balance of the appropriation provided in Item (C) of Section 2 of Act 98 of 2003, for the rehabilitation of National Guard armories throughout the State to ensure combat and State emergency readiness, in a sum not to exceed\$168,902.

(D) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 1683 of 2003, for improvements to the Wynne National Guard Armory, in a sum not to exceed\$20,000.

(E) Effective July 1, 2005, the balance of the appropriation provided in Item (C) of Section 1 of Act 161 of 2003, for alterations to existing buildings to meet ADA regulations including ramps, restroom alterations, passageway alterations and parking spaces, in a sum not to exceed ..\$174,800.

1 SECTION 3. REAPPROPRIATION - CASH FUNDS. There is hereby appropriated, to
2 the State Military Department, to be payable from the cash fund deposited in
3 the State Treasury as determined by the Chief Fiscal Officer of the State,
4 for the State Military Department, the following:

5 (A) Effective July 1, 2005, the balance of the appropriation provided in
6 Item (A) of Section 4 of Act 98 of 2003, for construction and construction
7 related services at the Armory in Hazen, Arkansas, in a sum not to exceed
8\$44,796.

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10 SECTION 4. REAPPROPRIATION - MISCELLANEOUS REVENUE. There is hereby
11 appropriated, to the State Military Department, to be payable from the Armory
12 Construction Fund, for the State Military Department, the following:

13 (A) Effective July 1, 2005, the balance of the appropriation provided in
14 Item (A) of Section 3 of Act 98 of 2003, for repair, construction,
15 renovation, landscaping and maintenance of armories, hangars, and other
16 properties held for the use and benefit of the Arkansas National Guard, in a
17 sum not to exceed\$128,292.

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19 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
20 obligations otherwise incurred in relation to the project or projects
21 described herein in excess of the State Treasury funds actually available
22 therefor as provided by law. Provided, however, that institutions and
23 agencies listed herein shall have the authority to accept and use grants and
24 donations including Federal funds, and to use its unobligated cash income or
25 funds, or both available to it, for the purpose of supplementing the State
26 Treasury funds for financing the entire costs of the project or projects
27 enumerated herein. Provided further, that the appropriations and funds
28 otherwise provided by the General Assembly for Maintenance and General
29 Operations of the agency or institutions receiving appropriation herein shall
30 not be used for any of the purposes as appropriated in this act.

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

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SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 7. EMERGENCY CLAUSE. It is found and determined by the 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: 2/11/2005

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