

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 352 of the Regular Session

As Engrossed: H2/26/07

A Bill

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

HOUSE BILL 1596

4
5 By: Joint Budget Committee
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8 **For An Act To Be Entitled**

9 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS
11 DEPARTMENT OF EMERGENCY MANAGEMENT; AND FOR
12 OTHER PURPOSES.
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15 **Subtitle**

16 AN ACT FOR THE ARKANSAS DEPARTMENT OF
17 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 - EOC CONSTRUCTION. There is hereby
23 appropriated, to the Arkansas Department of Emergency Management, to be
24 payable from the General Improvement Fund or its successor fund or fund
25 accounts, for the Arkansas Department of Emergency Management, the following:

26 (A) Effective July 1, 2007, the balance of the appropriation provided in
27 Section 1 of Act 1848 of 2005, for construction of a new State Emergency
28 Operations Center (EOC), in a sum not to exceed\$1,143,750.
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30 SECTION 2. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to the
31 Arkansas Department of Emergency Management, to be payable from the federal
32 funds as designated by the Chief Fiscal Officer of the State, for the
33 Arkansas Department of Emergency Management, the following:

34 (A) Effective July 1, 2007, the balance of the appropriation provided in
35 Item (A) of Section 1 of Act 228 of 2005, for construction of the ADEM



1 Emergency Operations Center, in a sum not to exceed\$3,431,250.

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3 SECTION 3. REAPPROPRIATION - CASH FUND. There is hereby appropriated, to
4 the Arkansas Department of Emergency Management, to be payable from the cash
5 fund deposited in the State Treasury as determined by the Chief Fiscal
6 Officer of the State, for the Arkansas Department of Emergency Management,
7 the following:

8 (A) Effective July 1, 2007, the balance of the appropriation provided in
9 Item (A) of Section 3 of Act 120 of 2005, for construction and other
10 associated costs of a primary Emergency Operations Center, in a sum not to
11 exceed\$450,000.
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13 SECTION 4. 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 5. 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 6. 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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22 */s/ Joint Budget Committee*

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24 **APPROVED: 3/19/2007**