

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 97 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1289

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
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

14
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, 2009, the balance of the appropriation provided in
26 Item (C) of Section 1 of Act 354 of 2007, for construction and related
27 expenses for an Ammunition Supply Point at Camp Robinson, in a sum not to
28 exceed\$3,337,502.

29 (B) Effective July 1, 2009, the balance of the appropriation provided in
30 Item (D) of Section 1 of Act 354 of 2007, for construction and related
31 expenses for a Centralized Vehicle Wash Facility for cleaning heavy/tracked
32 vehicles, to provide vehicle maintenance for mechanized or tracked units and
33 related services, in a sum not to exceed\$1,065,600.

34 (C) Effective July 1, 2009, the balance of the appropriation provided in
35 Item (F) of Section 1 of Act 354 of 2007, for constructing and equipping a



1 National Guard Military Operations Urban Terrain (MOUT) Training Facility, in
2 a sum not to exceed\$3,431,820.

3 (D) Effective July 1, 2009, the balance of the appropriation provided in
4 Item (H) of Section 1 of Act 354 of 2007, for building an Army Aviation
5 Support Facility with a hangar and administrative space, in a sum not to
6 exceed\$9,024,094.

7 (E) Effective July 1, 2009, the balance of the appropriation provided in
8 Item (M) of Section 1 of Act 354 of 2007, for construction of a "contonement"
9 or "central facility" area fence for the training area at Camp Robinson to
10 meet current anti-terrorism/force protection requirements, in a sum not to
11 exceed\$3,663,000.

12 (F) Effective July 1, 2009, the balance of the appropriation provided in
13 Item (N) of Section 1 of Act 354 of 2007, for construction of "contonement"
14 or "central facility" area fence for the training area at the Fort Chaffee
15 Maneuver Training Center to meet current anti-terrorism/force protection
16 requirements, in a sum not to exceed\$3,663,000.

17 (G) Effective July 1, 2009, the balance of the appropriation provided in
18 Item (O) of Section 1 of Act 354 of 2007, for construction of an additional
19 thirty-five (35) miles of fencing for the training area at Camp Robinson to
20 meet current anti-terrorism/force protection requirements, in a sum not to
21 exceed\$3,633,000.

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

27 (A) Effective July 1, 2009, the balance of the appropriation provided in
28 Item (A) of Section 3 of Act 354 of 2007, for construction, major
29 maintenance, repairs, asphalt paving and associated expenses at various
30 National Guard Armories including, Warren, Mountain Home, West Memphis and an
31 Aviation Armory at Camp Robinson, in a sum not to exceed\$456,430.

32 (B) Effective July 1, 2009, the balance of the appropriation provided in
33 Item (B) of Section 3 of Act 354 of 2007, for critically needed maintenance
34 for National Guard Armories state-wide for the State Military Department, in
35 a sum not to exceed\$435,303.

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1 SECTION 3. REAPPROPRIATION - FEDERAL FUNDS. There is hereby appropriated,
2 to the State Military Department, to be payable from the federal funds as
3 designated by the Chief Fiscal Officer of the State, for the State Military
4 Department, the following:

5 (A) Effective July 1, 2009, the balance of the appropriation provided in
6 Item (B) of Section 2 of Act 354 of 2007, for construction of a Camp Robinson
7 Aviation Armory Addition, in a sum not to exceed\$3,804,159.

8 (B) Effective July 1, 2009, the balance of the appropriation provided in
9 Item (D) of Section 2 of Act 354 of 2007, for construction of a Combined
10 Support Maintenance Sub-Shop, in a sum not to exceed\$9,639,330.

11 (C) Effective July 1, 2009, the balance of the appropriation provided in
12 Item (E) of Section 2 of Act 354 of 2007, for construction of a Multi-Purpose
13 Machinegun/Sniper Range at Ft. Chaffee Maneuver Training Center, in a sum not
14 to exceed\$1,404,290.

15 (D) Effective July 1, 2009, the balance of the appropriation provided in
16 Item (F) of Section 2 of Act 354 of 2007, for CMTC Sewer Collection System
17 Repair/Replacement, in a sum not to exceed\$3,145,055.

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19 SECTION 4. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to the
20 State Military Department, to be payable from the federal funds as designated
21 by the Chief Fiscal Officer of the State, for the State Military Department,
22 the following:

23 (A) Effective July 1, 2009, the balance of the appropriation provided in
24 Item (A) of Section 2 of Act 1322 of 2007, for construction of Phase I
25 facilities for the Regional Training Institute Complex, in a sum not to
26 exceed\$6,305,874.

27 (B) Effective July 1, 2009, the balance of the appropriation provided in
28 Item (B) of Section 2 of Act 1322 of 2007, for major repairs and renovations
29 of State Armories, in a sum not to exceed\$10,000,000.

30 (C) Effective July 1, 2009, the balance of the appropriation provided in
31 Item (C) of Section 2 of Act 1322 of 2007, for construction and renovation of
32 Administration Building Addition, in a sum not to exceed\$683,812.

33 (D) Effective July 1, 2009, the balance of the appropriation provided in
34 Item (D) of Section 2 of Act 1322 of 2007, for ADA compliance renovations, in
35 a sum not to exceed\$750,000.

36 (E) Effective July 1, 2009, the balance of the appropriation provided in

1 Item (E) of Section 2 of Act 1322 of 2007, for construction of a Cabot
2 Armory, in a sum not to exceed\$5,947,959.

3 (F) Effective July 1, 2009, the balance of the appropriation provided in
4 Item (F) of Section 2 of Act 1322 of 2007, for the West Memphis Armory, in a
5 sum not to exceed\$6,039,152.

6 (G) Effective July 1, 2009, the balance of the appropriation provided in
7 Item (G) of Section 2 of Act 1322 of 2007, for parking lot construction and
8 improvements at various armories including paving, fencing and lighting, in a
9 sum not to exceed\$3,128,000.

10 (H) Effective July 1, 2009, the balance of the appropriation provided in
11 Item (H) of Section 2 of Act 1322 of 2007, for updating spaces for the Army
12 Modular Force including classrooms, offices and storage rooms, in a sum not
13 to exceed\$2,224,000.

14 (I) Effective July 1, 2009, the balance of the appropriation provided in
15 Item (I) of Section 2 of Act 1322 of 2007, for construction of the Camp
16 Robinson Ammo Supply Point, in a sum not to exceed\$5,775,523.

17 (J) Effective July 1, 2009, the balance of the appropriation provided in
18 Item (K) of Section 2 of Act 1322 of 2007, for construction of a Combined
19 Support Maintenance Shop at Camp Robinson, in a sum not to exceed
20\$32,312,471.

21 (K) Effective July 1, 2009, the balance of the appropriation provided in
22 Item (L) of Section 2 of Act 1322 of 2007, for construction of a Maintenance
23 Shop at the Searcy Field, in a sum not to exceed\$2,322,550.

24 (L) Effective July 1, 2009, the balance of the appropriation provided in
25 Item (M) of Section 2 of Act 1322 of 2007, for repair and replacement of the
26 sewer collection system, in a sum not to exceed\$3,220,223.

27 (M) Effective July 1, 2009, the balance of the appropriation provided in
28 Item (01) of Section 5 of Act 1290 of 2007, for construction of a Cabot
29 Armory, in a sum not to exceed.....\$5,736,041.

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31 SECTION 5. REAPPROPRIATION - TEACHER PAY. There is hereby appropriated, to
32 the State Military Department, to be payable from the General Improvement
33 Fund or its successor fund or fund accounts, for the State Military
34 Department, the following:

35 (A) Effective July 1, 2009, the balance of the appropriation provided in
36 Item (A) of Section 1 of Act 809 of 2007, for payment of teachers in the

1 Arkansas National Guard Youth Challenge Program and/or the C-Step Program, in
2 a sum not to exceed\$70,000.

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4 SECTION 6. REAPPROPRIATION - GENERAL IMPROVEMENT FUNDS. There is hereby
5 appropriated, to the State Military Department, to be payable from the
6 General Improvement Fund or its successor fund or fund accounts, for the
7 State Military Department, the following:

8 (A) Effective July 1, 2009, the balance of the appropriation provided in
9 Item (D) of Section 3 of Act 354 of 2007, for the rehabilitation of National
10 Guard Armories throughout the State to ensure combat and State emergency
11 readiness, in a sum not to exceed\$131,149.

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13 SECTION 7. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
14 appropriated, to the State Military Department, to be payable from the
15 General Improvement Fund or its successor fund or fund accounts, for the
16 State Military Department, the following:

17 (A) Effective July 1, 2009, the balance of the appropriation provided in
18 Item (A) of Section 1 of Act 1322 of 2007, for various maintenance,
19 renovation, equipping, construction, acquisition, improvement, update and
20 repair projects for State Armories, in a sum not to exceed\$2,900,000.

21 (B) Effective July 1, 2009, the balance of the appropriation provided in
22 Item (B) of Section 1 of Act 1322 of 2007, for renovations to comply with ADA
23 requirements, in a sum not to exceed\$750,000.

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25 SECTION 8. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to the
26 State Military Department, to be payable from the federal funds as designated
27 by the Chief Fiscal Officer of the State, for the State Military Department,
28 the following:

29 (A) Effective July 1, 2009, the balance of the appropriation provided in
30 Item (01) of Section 5 of Act 1290 of 2007, for construction of a PEC GED
31 Training Complex, in a sum not to exceed\$19,943,100.

32 (B) Effective July 1, 2009, the balance of the appropriation provided in
33 Item (01) of Section 5 of Act 1290 of 2007, for construction of a Combined
34 Support Maintenance Sub-Shop at Fort Chaffee, in a sum not to exceed
35\$31,300,000.

36 (C) Effective July 1, 2009, the balance of the appropriation provided in

1 Item (01) of Section 5 of Act 1290 of 2007, for construction of a Camden
2 Readiness Center, in a sum not to exceed\$10,174,720.

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4 SECTION 9. REAPPROPRIATION - WORLD WAR II MURAL. There is hereby
5 appropriated, to the State Military Department, to be payable from the
6 Arkansas Natural and Cultural Resources Grant and Trust Fund, for the State
7 Military Department, the following:

8 (A) Effective July 1, 2009, the balance of the appropriation provided in
9 Item (1) of Section 30 of Act 793 of 2007, for design, construction and
10 equipping of a World War II Mural, in a sum not to exceed\$25,200.

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12 SECTION 10. REAPPROPRIATION - GENERAL IMPROVEMENT FUNDS. There is hereby
13 appropriated, to the State Military Department, to be payable from the
14 General Improvement Fund or its successor fund or fund accounts, for the
15 State Military Department, the following:

16 (A) Effective July 1, 2009, the balance of the appropriation provided in
17 Item (E) of Section 3 of Act 354 of 2007, for alterations to existing
18 buildings to meet ADA regulations including ramps, restroom alterations,
19 passageway alterations and parking spaces, in a sum not to exceed....\$13,810.

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

24 (A) Effective July 1, 2009, the balance of the appropriation provided in
25 Item (A) of Section 4 of Act 354 of 2007, for repair, construction,
26 renovation, landscaping and maintenance of armories, hangars, and other
27 properties held for the use and benefit of the Arkansas National Guard, in a
28 sum not to exceed\$128,292.

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30 SECTION 12. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
31 obligations otherwise incurred in relation to the project or projects
32 described herein in excess of the State Treasury funds actually available
33 therefor as provided by law. Provided, however, that institutions and
34 agencies listed herein shall have the authority to accept and use grants and
35 donations including Federal funds, and to use its unobligated cash income or
36 funds, or both available to it, for the purpose of supplementing the State

1 Treasury funds for financing the entire costs of the project or projects
 2 enumerated herein. Provided further, that the appropriations and funds
 3 otherwise provided by the General Assembly for Maintenance and General
 4 Operations of the agency or institutions receiving appropriation herein shall
 5 not be used for any of the purposes as appropriated in this act.

6 (B) The restrictions of any applicable provisions of the State Purchasing
 7 Law, the General Accounting and Budgetary Procedures Law, the Revenue
 8 Stabilization Law and any other applicable fiscal control laws of this State
 9 and regulations promulgated by the Department of Finance and Administration,
 10 as authorized by law, shall be strictly complied with in disbursement of any
 11 funds provided by this act unless specifically provided otherwise by law.
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13 SECTION 13. LEGISLATIVE INTENT. It is the intent of the General Assembly
 14 that any funds disbursed under the authority of the appropriations contained
 15 in this act shall be in compliance with the stated reasons for which this act
 16 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 17 and Legislative Recommendations contained in the budget manuals prepared by
 18 the Department of Finance and Administration, letters, or summarized oral
 19 testimony in the official minutes of the Arkansas Legislative Council or
 20 Joint Budget Committee which relate to its passage and adoption.
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22 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the General
 23 Assembly, that the Constitution of the State of Arkansas prohibits the
 24 appropriation of funds for more than a one (1) year period; that the
 25 effectiveness of this Act on July 1, 2009 is essential to the operation of
 26 the agency for which the appropriations in this Act are provided, and that in
 27 the event of an extension of the Regular Session, the delay in the effective
 28 date of this Act beyond July 1, 2009 could work irreparable harm upon the
 29 proper administration and provision of essential governmental programs.
 30 Therefore, an emergency is hereby declared to exist and this Act being
 31 necessary for the immediate preservation of the public peace, health and
 32 safety shall be in full force and effect from and after July 1, 2009.
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35 APPROVED: 2/12/2009
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