

Hall of the House of Representatives

90th General Assembly - Fiscal Session, 2016

Amendment Form

JBC 04/21/16 (1)

Subtitle of House Bill No. 1052

AN ACT FOR THE DEPARTMENT OF EDUCATION - ARKANSAS STATE LIBRARY APPROPRIATION
FOR THE 2016-2017 FISCAL YEAR.

Amendment No. 1 to House Bill No. 1052

Amend House Bill No. 1052 as originally introduced:

Page 6, immediately following SECTION 10, insert a new SECTION to read as follows:

" SECTION 11. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 13, Chapter 2, Subchapter 1, is amended to add an additional section to read as follows:

13-2-105. Municipal and county public libraries prohibited in flood zones or flood-prone buildings – Exceptions.

(a)(1) Except as provided in subdivision (a)(2) and subsection (b) of this section, a municipal or county public library shall not be placed:

(A) In a building that is designated as in a flood zone or on land designated as a flood zone; or

(B) In a building that has flooded due to rain or rainwater drainage.

(2) Upon request by the county quorum court for a county public library or the city council or other governing body of the city for a municipal public library, the Arkansas Legislative Council during the interim and the Joint Budget Committee when the General Assembly is in session may permit the county quorum court, city council, or other governing body of the city to place a public library in a location prohibited by subdivision (a)(1) of this section if the county quorum court, city council, or other governing body of the city shows that:

(A) The geography, architecture, engineering, or other circumstance of the land or structure that will house the public library ensures that the books, digital media, and other commodities and property owned by the public library are sufficiently safe from damage or destruction by flooding or floodwater; or

(B) Sufficient accommodations will continue to be made to protect the books, digital media, and other commodities and property owned by the public library from damage or destruction by flooding or floodwater.

(b) A public library that is housed in a location prohibited by subdivision (a)(1) of this section on the effective date of this section may



remain in that location."

AND

Page 7, delete SECTION 12 in its entirety and insert the following:

" SECTION 12. EMERGENCY CLAUSE. (a)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 one (1) year period; that the effectiveness of this Act on July 1, 2016 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2016 could work irreparable harm upon the proper administration and provision of essential governmental programs. 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 July 1, 2016. (b)It is found and determined by the General Assembly of the State of Arkansas that public libraries are essential resources to the health, education, and general welfare of our communities; that the books and digital media contained within public libraries are particularly susceptible to destruction by excessive rain, moisture, or humidity; that the spring and summer months in Arkansas tend to yield the most precipitation; and that this act is immediately necessary to protect the knowledge resources of certain communities of this state. Therefore, an emergency is declared to exist, and Section 11 of this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

AND

Appropriately renumber all SECTION numbers of the bill.

The Amendment was read _____
By: Joint Budget Committee
By: Representative <NA>; By: Senator Caldwell
KMW/KMW - 04-21-2016 10:48:03
KMW132

Chief Clerk