

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 3/6/87

HOUSE BILL 1245

By: Joint Budget Committee

"AN ACT TO MAKE AN APPROPRIATION OF FUNDS TO ALLEVIATE
CONDITIONS ARISING IN PUBLIC EMERGENCIES, FOR THE BIENNIAL
PERIOD ENDING JUNE 30, 1989; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. PROCEDURES. In the event of riots or threatened riots, sabotage, public insurrection or threatened insurrection, storm, flood, famine, or other public calamity which jeopardizes the public peace, health and safety of citizens of Arkansas that calls for immediate action, the Governor is hereby delegated and authorized by the General Assembly to declare an emergency to exist and to issue a proclamation declaring an emergency to exist. And for such other requests for utilization of this appropriation, such other requests shall be submitted for advice by the Governor to a Governor's Emergency Fund Advisory Committee, meeting in Committee, composed of the Chairman and Vice-Chairman of the: Legislative Joint Auditing Committee and Arkansas Legislative Council. Such proclamation or requests, as approved by the Governor or the Governor's Emergency Fund Advisory Committee shall include: (a) the nature and location of the emergency, (b) the name of the department or agency of state which, in the Governor's opinion, is best able to alleviate or obviate the conditions which have arisen or are about to arise because of such emergency and (c) the amounts of funds required therefore, such amount or so much thereof as shall have been set forth in each such proclamation to be extended upon vouchers drawn by the disbursing agent of the department or agency of state naming the proclamation. The original of such proclamation shall be filed with the Secretary of State and an executed counterpart thereof shall be filed with the State Auditor, State Treasurer and the Department of Finance and Administration.

SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Office of the Governor, to be payable from the Miscellaneous Revolving Fund, for the purposes provided for by this Act, for the biennial period ending June 30, 1989, the following:

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) GOVERNOR'S EMERGENCY PROCLAMATION	\$500,000	\$500,000

SECTION 3. Any expenditures made in accordance with the authorizations provided in Section 2 of this Act, may be reimbursed to the Miscellaneous Revolving Fund by transfers authorized by the Chief Fiscal Officer of the State, from funds or fund accounts supporting the benefiting agencies, provided that in the case of the Governor's proclamations and emergencies of a nature where no specific state agency is the beneficiary, then such expenditures shall be borne by the Miscellaneous Revolving Fund.

SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this Act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 5. 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 6. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Sixth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1987 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 Regular Session, the delay in the effective date of this Act beyond July 1, 1987 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, 1987.

/s/ John E. Miller

