

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

As Engrossed: H3/6/97 S3/7/97 S3/14/97

# A Bill

HOUSE BILL 2003

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR THE PROVISION OF  
9 DISASTER ASSISTANCE GRANTS BY THE OFFICE OF EMERGENCY  
10 SERVICES TO VARIOUS COUNTIES WHICH HAVE BEEN DECLARED  
11 DISASTER AREAS BY THE GOVERNOR FOR THE DEPARTMENT OF  
12 FINANCE AND ADMINISTRATION - DISBURSING OFFICER WHICH  
13 SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS  
14 APPROPRIATED BY ACT 69 OF 1995; AND FOR OTHER PURPOSES."

## Subtitle

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16  
17 "AN ACT FOR THE DEPARTMENT OF FINANCE  
18 AND ADMINISTRATION - DISBURSING OFFICER  
19 - DISASTER ASSISTANCE GRANTS  
20 SUPPLEMENTAL APPROPRIATION."  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the  
25 Department of Finance and Administration - Disbursing Officer, to be payable  
26 from the Disaster Assistance Fund, for the provision of Disaster Assistance  
27 grants by the Office of Emergency Services to the following counties which  
28 have been declared disaster areas by the Governor, which shall be supplemental  
29 and in addition to those funds appropriated in Section 1 of Act 69 of 1995,  
30 the following:  
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32 ITEM	FISCAL YEAR
33 <del>NO.</del>	<del>1996-97</del>
34 (01) BAXTER COUNTY	\$ 500,000
35 (02) CLAY COUNTY	500,000
36 (03) CONWAY COUNTY	250,000

1	(04)	CRAIGHEAD COUNTY	250,000
2	(05)	HOT SPRING COUNTY	500,000
3	(06)	MISSISSIPPI COUNTY	500,000
4	(07)	POINSETT COUNTY	500,000
5	(08)	FRANKLIN COUNTY	250,000
6	(09)	WHITE COUNTY	500,000
7	(10)	LAWRENCE COUNTY	250,000
8	(11)	LEE COUNTY	500,000
9	(12)	LINCOLN COUNTY	500,000
10	(13)	NEWTON COUNTY	500,000
11	(14)	POPE COUNTY	250,000
12	(15)	IZARD COUNTY	250,000
13	(16)	WOODRUFF COUNTY	250,000
14	(17)	JEFFERSON COUNTY	250,000
15	(18)	INDEPENDENCE COUNTY	<u>250,000</u>
16		TOTAL AMOUNT APPROPRIATED	<u>\$6,750,000</u>

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18        SECTION 2. The Chief Fiscal Officer of the State may transfer on his  
 19 books and those of the State Treasurer an amount not to exceed seven million  
 20 two hundred fifty thousand dollars (\$7,250,000), as is needed to provide funds  
 21 to be expended under the provisions of Section 3 herein, from the Economic  
 22 Development of Arkansas Fund to the Disaster Assistance Fund to provide funds  
 23 for the appropriation provided herein.

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25        SECTION 3. Upon a State declaration of disaster as defined in  
 26 A.C.A. §12-75-103(2), the Quorum Court or a local governmental entity of the  
 27 counties named in Section 1 of this Act may request of the Director of the  
 28 State Office of Emergency Services a disbursement of the funds appropriated by  
 29 this Act. Upon certification by the Director of the State Office of Emergency  
 30 Services that the request is consistent with the provisions of the "Arkansas  
 31 Emergency Services Act of 1973," the Chief Fiscal Officer of the State may  
 32 approve disbursement of the funds appropriated in this Act for the purpose of  
 33 responding to and mitigating the effects of such disaster. Funds appropriated  
 34 in this Act are to supplement county and local expenses which are not  
 35 reimbursable under Federal disaster recovery programs, but for which

1 *extraordinary means are required.*

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

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13 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General  
14 Assembly that any funds disbursed under the authority of the appropriations  
15 contained in this Act shall be in compliance with the stated reasons for which  
16 this Act was adopted, as evidenced by the Agency Requests, Executive  
17 Recommendations and Legislative Recommendations contained in the budget  
18 manuals prepared by the Department of Finance and Administration, letters, or  
19 summarized oral testimony in the official minutes of the Arkansas Legislative  
20 Council or Joint Budget Committee which relate to its passage and adoption.

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22 SECTION 6. CODE. All provisions of this Act of a general and permanent  
23 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
24 Code Revision Commission shall incorporate the same in the Code.

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26 SECTION 7. SEVERABILITY. If any provision of this Act or the  
27 application thereof to any person or circumstance is held invalid, such  
28 invalidity shall not affect other provisions or applications of the Act which  
29 can be given effect without the invalid provision or application, and to this  
30 end the provisions of this Act are declared to be severable.

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32 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict  
33 with this Act are hereby repealed.

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35 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the

1 Eighty-First General Assembly that funds provided by the General Assembly for  
2 the operations of the Department of Finance and Administration - Disbursing  
3 Officer are, due to unforeseen circumstances, insufficient for the Department  
4 of Finance and Administration - Disbursing Officer to continue to provide  
5 essential governmental services; that the provisions of this act will provide  
6 the necessary monies for the Department of Finance and Administration -  
7 Disbursing Officer to continue such services; and that a delay in the  
8 effective date of this Act could work irreparable harm upon the proper  
9 administration and provision of essential governmental programs. Therefore,  
10 an emergency is hereby declared to exist and this Act being necessary for the  
11 immediate preservation of the public peace, health and safety shall be in full  
12 force and effect from and after the date of its approval by the Governor. If  
13 the bill is neither approved nor vetoed by the Governor, it shall become  
14 effective on the expiration of the period of time during which the Governor  
15 may veto the bill. If the bill is vetoed by the Governor and the veto is  
16 overridden, it shall become effective on the date the last house overrides the  
17 veto.

18 /s/Rep. Thicksten, et al  
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