

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

HOUSE BILL 1345

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE STATE MILITARY
11 DEPARTMENT; AND FOR OTHER PURPOSES. "

Subtitle

14 "AN ACT FOR THE STATE MILITARY
15 DEPARTMENT REAPPROPRIATION. "

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to the
21 State Military Department, to be payable from the federal funds as designated
22 by the Chief Fiscal Officer of the State, for the State Military Department,
23 the following:

24 (A) Effective July 1, 1999, the balance of the appropriation provided in
25 Item (A) of Section 1 of Act 198 of 1997, for construction and equipping the
26 National Guard Armory in Benton, Arkansas, in a sum not to exceed \$.1,954,329.
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28 (B) Effective July 1, 1999, the balance of the appropriation provided in
29 Item (B) of Section 1 of Act 198 of 1997, for constructing and equipping the
30 Army Aviation Support Facility at Camp Robinson, Arkansas, in a sum not to
31 exceed\$11,760,624.
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33 (C) Effective July 1, 1999, the balance of the appropriation provided in
34 Item (C) of Section 1 of Act 198 of 1997, for constructing and equipping the
35 National Guard Armory in Warren, Arkansas, in a sum not to exceed \$.2,049,535.
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1 (D) Effective July 1, 1999, the balance of the appropriation provided in
2 Item (D) of Section 1 of Act 198 of 1997, for constructing and equipping a
3 National Guard Armory and Organizational Maintenance Shop in Hazen, Arkansas,
4 in a sum not to exceed\$2,424,953.

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6 (E) Effective July 1, 1999, the balance of the appropriation provided in
7 Item (E) of Section 1 of Act 198 of 1997, for constructing and equipping a
8 National Guard Military Operations in Urban Terrain (MOUT) Training Facility,
9 in a sum not to exceed\$3,575,560.

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11 (F) Effective July 1, 1999, the balance of the appropriation provided in
12 Item (F) of Section 1 of Act 198 of 1997, for constructing and equipping a
13 National Guard Combined Support Maintenance Shop in Fayetteville, Arkansas, in
14 a sum not to exceed\$1,970,520.

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16 (G) Effective July 1, 1999, the balance of the appropriation provided in
17 Item (G) of Section 1 of Act 198 of 1997, for constructing and equipping a
18 National Guard Combined Support Maintenance Shop at Camp Robinson, Arkansas,
19 in a sum not to exceed\$11,100,724.

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21 (H) Effective July 1, 1999, the balance of the appropriation provided in
22 Item (H) of Section 1 of Act 198 of 1997, for constructing and equipping an
23 Ammunition Supply Point at Camp Robinson, Arkansas, in a sum not to exceed
24\$3,544,800.

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26 (I) Effective July 1, 1999, the balance of the appropriation provided in
27 Item (I) of Section 1 of Act 198 of 1997, for major maintenance, renovation,
28 and repair of the Army Aviation Airstrip at Camp Robinson, Arkansas, in a sum
29 not to exceed\$945,158.

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31 (J) Effective July 1, 1999, the balance of the appropriation provided in
32 Item (J) of Section 1 of Act 198 of 1997, for constructing and equipping the
33 National Guard Organizational Maintenance Shop in Jonesboro, Arkansas, in a
34 sum not to exceed\$1,970,520.

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36 (K) Effective July 1, 1999, the balance of the appropriation provided in

1 Item (K) of Section 1 of Act 198 of 1997, for constructing and equipping the
2 National Guard Organizational Maintenance Shop at Camp Robinson, Arkansas, in
3 a sum not to exceed\$1,373,986.
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5 (L) Effective July 1, 1999, the balance of the appropriation provided in
6 Item (B) of Section 2 of Act 527 of 1997, for construction of a hangar and
7 support facility at the Army Aviation Support Facility at Camp Robinson,
8 Arkansas, in a sum not to exceed\$15,600,000.
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10 (M) Effective July 1, 1999, the balance of the appropriation provided in
11 Item (C) of Section 2 of Act 527 of 1997, for construction, major maintenance,
12 asphalt paving and associated expenses for the National Guard Armory in
13 Warren, Arkansas, in a sum not to exceed\$2,324,345.
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15 (N) Effective July 1, 1999, the balance of the appropriation provided in
16 Item (D) of Section 2 of Act 527 of 1997, for construction, major maintenance,
17 asphalt paving and associated expenses for the National Guard Armory and
18 Organizational Maintenance Shop in Hazen, Arkansas, in a sum not to exceed
19\$3,084,000.
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21 (O) Effective July 1, 1999, the balance of the appropriation provided in
22 Item (E) of Section 2 of Act 527 of 1997, for construction, major maintenance
23 and renovation for urban type terrain training facility, in a sum not to
24 exceed\$3,575,560.
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26 (P) Effective July 1, 1999, the balance of the appropriation provided in
27 Item (F) of Section 2 of Act 527 of 1997, for construction, major maintenance,
28 renovation or repair, equipping and other related expenses to facilities
29 around the state, in a sum not to exceed\$2,000,000.
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31 (Q) Effective July 1, 1999, the balance of the appropriation provided in
32 Item (L) of Section 1 of Act 198 of 1997, for construction and utility
33 upgrades by the State Military Department, in a sum not to exceed ...\$381,070.
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35 SECTION 2. REAPPROPRIATION - STATE. There is hereby appropriated, to the
36 State Military Department, to be payable from the General Improvement Fund or

1 its successor fund or fund accounts, for the State Military Department, the
2 following:

3 (A) Effective July 1, 1999, the balance of the appropriation provided in
4 Item (A) of Section 1 of Act 527 of 1997, for construction, major maintenance,
5 repair and rehabilitation of all armories throughout Arkansas, in a sum not to
6 exceed\$100,000.

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8 (B) Effective July 1, 1999, the balance of the appropriation provided in
9 Item (D) of Section 1 of Act 527 of 1997, for construction, major maintenance,
10 asphalt paving and associated expenses for the National Guard Armory in
11 Benton, Arkansas, in a sum not to exceed\$837,570.

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13 (C) Effective July 1, 1999, the balance of the appropriation provided in
14 Item (F) of Section 1 of Act 527 of 1997, for construction, major maintenance,
15 asphalt paving and associated expenses for the National Guard Armory and
16 Organizational Maintenance Shop in Hazen, Arkansas, in a sum not to exceed
17\$238,375.

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19 SECTION 3. REAPPROPRIATION - ARMORY CONSTRUCTION FUND. There is hereby
20 appropriated, to the State Military Department, to be payable from the Armory
21 Construction Fund, for the State Military Department, the following:

22 (A) Effective July 1, 1999, the balance of the appropriation provided in
23 Item (A) of Section 2 of Act 198 of 1997, for repair, construction,
24 renovation, landscaping and maintenance of armories, hangars, and other
25 properties held for the use and benefit of the Arkansas National Guard, in a
26 sum not to exceed\$128,292.

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28 SECTION 4. REAPPROPRIATION - CASH. There is hereby appropriated, to the
29 State Military Department, to be payable from the cash funds as defined by
30 Arkansas Code 19-4-801, for the State Military Department, the following:

31 (A) Effective July 1, 1999, the balance of the appropriation provided in
32 Section 17 of Act 1350 of 1997, for construction and construction related
33 services at the Hazen Armory, Arkansas, in a sum not to exceed\$400,000.

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35 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
36 obligations otherwise incurred in relation to the project or projects

1 described herein in excess of the State Treasury funds actually available
2 therefor as provided by law. Provided, however, that institutions and
3 agencies listed herein shall have the authority to accept and use grants and
4 donations including Federal funds, and to use its unobligated cash income or
5 funds, or both available to it, for the purpose of supplementing the State
6 Treasury funds for financing the entire costs of the project or projects
7 enumerated herein. Provided further, that the appropriations and funds
8 otherwise provided by the General Assembly for Maintenance and General
9 Operations of the agency or institutions receiving appropriation herein shall
10 not be used for any of the purposes as appropriated in this act.

11 (B) The restrictions of any applicable provisions of the State Purchasing
12 Law, the General Accounting and Budgetary Procedures Law, the Revenue
13 Stabilization Law and any other applicable fiscal control laws of this State
14 and regulations promulgated by the Department of Finance and Administration,
15 as authorized by law, shall be strictly complied with in disbursement of any
16 funds provided by this act unless specifically provided otherwise by law.

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18 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
19 that any funds disbursed under the authority of the appropriations contained
20 in this act shall be in compliance with the stated reasons for which this act
21 was adopted, as evidenced by the Agency Requests, Executive Recommendations
22 and Legislative Recommendations contained in the budget manuals prepared by
23 the Department of Finance and Administration, letters, or summarized oral
24 testimony in the official minutes of the Arkansas Legislative Council or Joint
25 Budget Committee which relate to its passage and adoption.

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27 SECTION 7. CODE. All provisions of this Act of a general and permanent
28 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
29 Code Revision Commission shall incorporate the same in the Code.

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31 SECTION 8. SEVERABILITY. If any provision of this act or the application
32 thereof to any person or circumstance is held invalid, such invalidity shall
33 not affect other provisions or applications of the act which can be given
34 effect without the invalid provision or application, and to this end the
35 provisions of this act are declared to be severable.

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1 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict with
2 this act are hereby repealed.

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4 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
5 Eighty-second General Assembly, that the Constitution of the State of Arkansas
6 prohibits the appropriation of funds for more than a two (2) year period; that
7 previous General Assemblies have provided appropriations for the projects
8 provided or enumerated in this act; that certain appropriations will expire
9 before the adjournment of the General Assembly; and that if such
10 appropriations expire, the projects and programs authorized herein will cease
11 thereby depriving the citizens of the State of the benefits to be derived from
12 such projects. Therefore, an emergency is hereby declared to exist and this
13 Act being necessary for the immediate preservation of the public peace, health
14 and safety shall be in full force and effect from and after the date of its
15 passage and approval. If the bill is neither approved nor vetoed by the
16 Governor, it shall become effective on the expiration of the period of time
17 during which the Governor may veto the bill. If the bill is vetoed by the
18 Governor and the veto is overridden, it shall become effective on the date the
19 last house overrides the veto.