

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.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001

# A Bill

HOUSE BILL 1518

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE ARKANSAS DEPARTMENT OF  
11 EMERGENCY MANAGEMENT FOR THE BIENNIAL PERIOD ENDING  
12 JUNE 30, 2003; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE ARKANSAS DEPARTMENT  
16 OF EMERGENCY MANAGEMENT APPROPRIATION  
17 FOR THE 2001-2003 BIENNIUM.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby  
24 established for the Arkansas Department of Emergency Management for the 2001-  
25 2003 biennium, the following maximum number of regular employees whose  
26 salaries shall be governed by the provisions of the Uniform Classification and  
27 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all  
28 laws amendatory thereto. Provided, however, that any position to which a  
29 specific maximum annual salary is set out herein in dollars, shall be exempt  
30 from the provisions of said Uniform Classification and Compensation Act. All  
31 persons occupying positions authorized herein are hereby governed by the  
32 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
33 Code §21-5-101), or its successor.  
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35  
36  
Maximum Annual  
Maximum Salary Rate

Item	Class		No. of	Fiscal Years	
	No.	Code Title	Employees	2001-2002	2002-2003
3	(1)	9979 ADEM DIRECTOR	1	\$66,741	\$68,476
4	(2)	632Z ADEM DEP DIR CHF FIELD OPNS	1	GRADE 25	
5	(3)	088Z ADEM FIRE SVCS ADMINISTRATOR	1	GRADE 22	
6	(4)	D124 LEAD PROGRAMMER/ANALYST	2	GRADE 22	
7	(5)	909Z PROGRAM SUPPORT MANAGER	4	GRADE 22	
8	(6)	R193 ADEM PROGRAM OPERATIONS MANAGER	2	GRADE 21	
9	(7)	R298 AGENCY PROGRAM COORDINATOR	6	GRADE 21	
10	(8)	R048 BUDGET SPECIALIST	1	GRADE 19	
11	(9)	R064 EMERG SVCS AREA COORD	7	GRADE 19	
12	(10)	E068 TRAINING & EDUCATION COORD EMER SVC	1	GRADE 19	
13	(11)	A111 ACCOUNTANT	2	GRADE 18	
14	(12)	R134 PLANNING SPECIALIST II	4	GRADE 18	
15	(13)	V040 PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18	
16	(14)	R010 ADMINISTRATIVE ASSISTANT II	3	GRADE 17	
17	(15)	R430 ADMINISTRATIVE OFFICER	1	GRADE 17	
18	(16)	Y129 ELECTRONIC TECHNICIAN	5	GRADE 17	
19	(17)	G161 GENERAL MAINTENANCE REPAIRMAN	1	GRADE 17	
20	(18)	C017 TELECOMMUNICATIONS SUPERVISOR	1	GRADE 17	
21	(19)	C016 EMERG COMMUNICATION SPECIALIST	4	GRADE 16	
22	(20)	K153 SECRETARY II	<u>3</u>	GRADE 13	
23		MAX. NO. OF EMPLOYEES	51		

SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for the Arkansas Department of Emergency Management for the 2001-2003 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one (1) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Arkansas Department of Emergency Management, to be payable from the State General Services Fund Account, for personal services and operating expenses of the Arkansas Department of Emergency Management for the biennial

1 period ending June 30, 2003, the following:

2 ITEM		FISCAL YEARS	
3 NO.		2001-2002	2002-2003
4 (01)	REGULAR SALARIES	\$ 1,493,901	\$ 1,532,742
5 (02)	EXTRA HELP	2,400	2,400
6 (03)	PERSONAL SERV MATCHING	412,556	419,447
7 (04)	OVERTIME	31,000	31,000
8 (05)	MAINT. & GEN. OPERATION		
9 (A)	OPER. EXPENSE	303,523	303,523
10 (B)	CONF. & TRAVEL	62,586	62,586
11 (C)	PROF. FEES	11,000	11,000
12 (D)	CAP. OUTLAY	14,082	14,082
13 (E)	DATA PROC.	0	0
14 (06)	CONTINGENCY	10,000	10,000
15 (07)	EMERGENCY RESPONSE POOL	<u>3,000</u>	<u>3,000</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,344,048</u>	<u>\$ 2,389,780</u>

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 18 SECTION 4. REGULAR SALARIES - FEDERAL OPERATIONS. There is hereby  
 19 established for the Arkansas Department of Emergency Management for the 2001-  
 20 2003 biennium, the following maximum number of regular employees whose  
 21 salaries shall be governed by the provisions of the Uniform Classification and  
 22 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all  
 23 laws amendatory thereto. Provided, however, that any position to which a  
 24 specific maximum annual salary is set out herein in dollars, shall be exempt  
 25 from the provisions of said Uniform Classification and Compensation Act. All  
 26 persons occupying positions authorized herein are hereby governed by the  
 27 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
 28 Code §21-5-101), or its successor.

			Maximum Annual		
			Maximum	Salary Rate	
			No. of	Fiscal Years	
32 Item	Class		Empl oyees	2001-2002	2002-2003
33 No.	Code	Title			
34 (1)	909Z	PROGRAM SUPPORT MANAGER	1	GRADE 22	
35 (2)	R193	ADEM PROGRAM OPERATIONS MANAGER	2	GRADE 21	
36 (3)	R298	AGENCY PROGRAM COORDINATOR	4	GRADE 21	

1	(4)	X337	ENGINEER	1	GRADE 20
2	(5)	R266	MANAGEMENT PROJECT ANALYST II	1	GRADE 20
3	(6)	R048	BUDGET SPECIALIST	1	GRADE 19
4	(7)	E074	TRAINING REPRESENTATIVE	1	GRADE 19
5	(8)	D128	P C SUPPORT SPECIALIST	1	GRADE 18
6	(9)	R134	PLANNING SPECIALIST II	3	GRADE 18
7	(10)	D034	PROGRAMMER ANALYST	1	GRADE 18
8	(11)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17
9	(12)	K153	SECRETARY II	<u>1</u>	GRADE 13
10			MAX. NO. OF EMPLOYEES	18	

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12 SECTION 5. EXTRA HELP - FEDERAL OPERATIONS. There is hereby authorized,  
 13 for the Arkansas Department of Emergency Management for the 2001-2003  
 14 biennium, the following maximum number of part-time or temporary employees, to  
 15 be known as "Extra Help", payable from funds appropriated herein for such  
 16 purposes: ten (10) temporary or part-time employees, when needed, at rates of  
 17 pay not to exceed those provided in the Uniform Classification and  
 18 Compensation Act, or its successor, or this act for the appropriate  
 19 classification.

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21 SECTION 6. APPROPRIATION - FEDERAL OPERATIONS. There is hereby  
 22 appropriated, to the Arkansas Department of Emergency Management, to be  
 23 payable from the federal funds as designated by the Chief Fiscal Officer of  
 24 the State, for personal services and operating expenses of the Arkansas  
 25 Department of Emergency Management for the biennial period ending June 30,  
 26 2003, the following:

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28	ITEM		FISCAL YEARS	
29	<u>NO.</u>		<u>2001-2002</u>	<u>2002-2003</u>
30	(01)	REGULAR SALARIES	\$ 518,860	\$ 532,349
31	(02)	EXTRA HELP	10,000	10,000
32	(03)	PERSONAL SERV MATCHING	150,830	153,217
33	(04)	OVERTIME	30,000	30,000
34	(05)	MAINT. & GEN. OPERATION		
35	(A)	OPER. EXPENSE	730,013	730,013
36	(B)	CONF. & TRAVEL	379,909	379,909

1	(C) PROF. FEES	232,318	232,318
2	(D) CAP. OUTLAY	1,952,500	1,952,500
3	(E) DATA PROC.	0	0
4	(06) CHEMICAL DISPOSAL GRANTS AND AID	4,128,750	4,128,750
5	(07) SEMINAR CONTRACTS	<u>140,000</u>	<u>140,000</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 8,273,180</u>	<u>\$ 8,289,056</u>

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8 SECTION 7. REGULAR SALARIES - DISASTER RELIEF GRANTS. There is hereby  
 9 established for the Arkansas Department of Emergency Management for the 2001-  
 10 2003 biennium, the following maximum number of regular employees whose  
 11 salaries shall be governed by the provisions of the Uniform Classification and  
 12 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all  
 13 laws amendatory thereto. Provided, however, that any position to which a  
 14 specific maximum annual salary is set out herein in dollars, shall be exempt  
 15 from the provisions of said Uniform Classification and Compensation Act. All  
 16 persons occupying positions authorized herein are hereby governed by the  
 17 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
 18 Code §21-5-101), or its successor.

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			Maximum	Maximum Annual
			Maximum	Salary Rate
			No. of	Fiscal Years
Item	Class		Employees	2001-2002 2002-2003
22	No. Code Title			
23				
24	(1) R193 ADEM PROGRAM OPERATIONS MANAGER		1	GRADE 21
25	(2) R010 ADMINISTRATIVE ASSISTANT II		<u>1</u>	GRADE 17
26	MAX. NO. OF EMPLOYEES		2	

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28 SECTION 8. EXTRA HELP - DISASTER RELIEF GRANTS. There is hereby  
 29 authorized, for the Arkansas Department of Emergency Management for the 2001-  
 30 2003 biennium, the following maximum number of part-time or temporary  
 31 employees, to be known as "Extra Help", payable from funds appropriated herein  
 32 for such purposes: nine (9) temporary or part-time employees, when needed, at  
 33 rates of pay not to exceed those provided in the Uniform Classification and  
 34 Compensation Act, or its successor, or this act for the appropriate  
 35 classification.

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SECTION 9. APPROPRIATION - DISASTER RELIEF GRANTS. There is hereby appropriated, to the Arkansas Department of Emergency Management, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Department of Emergency Management for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 105,924	\$ 108,678
(02) EXTRA HELP	19,200	19,200
(03) PERSONAL SERV MATCHING	39,456	39,946
(04) OVERTIME	50,000	50,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	132,800	132,800
(B) CONF. & TRAVEL	26,500	26,500
(C) PROF. FEES	20,000	20,000
(D) CAP. OUTLAY	95,000	95,000
(E) DATA PROC.	0	0
(06) DISASTER ASSISTANCE GRANTS	<u>12,080,000</u>	<u>12,080,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 12,568,880</u>	<u>\$ 12,572,124</u>

SECTION 10. REGULAR SALARIES - HAZARDOUS MATERIALS. There is hereby established for the Arkansas Department of Emergency Management for the 2001-2003 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

	Maximum Annual
Maximum	Salary Rate

Item Class	No. of	Fiscal Years
No. Code Title	Employees	2001-2002 2002-2003
(1) E008 ADEM TRAINING PROJECT MANAGER	1	GRADE 21
(2) E072 TRAINING INSTRUCTOR	1	GRADE 18
(3) R010 ADMINISTRATIVE ASSISTANT II	2	GRADE 17
(4) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
(5) K153 SECRETARY II	1	GRADE 13
MAX. NO. OF EMPLOYEES	6	

SECTION 11. EXTRA HELP - HAZARDOUS MATERIALS. There is hereby authorized, for the Arkansas Department of Emergency Management for the 2001-2003 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 12. APPROPRIATION - HAZARDOUS MATERIALS. There is hereby appropriated, to the Arkansas Department of Emergency Management, to be payable from the Office of Hazardous Materials Emergency Management Revolving Fund, for personal services and operating expenses of the Arkansas Department of Emergency Management for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 212,436	\$ 217,960
(02) EXTRA HELP	4,000	4,000
(03) PERSONAL SERV MATCHING	60,352	61,299
(04) OVERTIME	5,000	5,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	80,350	80,350
(B) CONF. & TRAVEL	30,000	30,000
(C) PROF. FEES	20,000	20,000
(D) CAP. OUTLAY	20,000	20,000

1	(E) DATA PROC.	0	0
2	(06) TRAINING GRANTS	10,000	10,000
3	(07) DATA PROCESSING SERVICES	<u>122,449</u>	<u>124,898</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 564,587</u>	<u>\$ 573,507</u>

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 6 SECTION 13. APPROPRIATION - EARTHQUAKE PREPAREDNESS. There is hereby  
 7 appropriated, to the Arkansas Department of Emergency Management, to be  
 8 payable from the State General Services Fund Account, for earthquake  
 9 preparedness grants and aid of the Arkansas Department of Emergency Management  
 10 for the biennial period ending June 30, 2003, the following:

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12	ITEM	FISCAL YEARS	
13	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
14	(01) EARTHQUAKE PREPAREDNESS GRANTS		
15	AND AIDS	<u>\$ 52,875</u>	<u>\$ 52,875</u>

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 17 SECTION 14. APPROPRIATION - DISASTER RELIEF TRUST. There is hereby  
 18 appropriated, to the Arkansas Department of Emergency Management, to be  
 19 payable from the Arkansas Disaster Relief Program Trust Fund, for assistance  
 20 to victims of state or federally declared disasters of the Arkansas Department  
 21 of Emergency Management for the biennial period ending June 30, 2003, the  
 22 following:

23			
24	ITEM	FISCAL YEARS	
25	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
26	(01) DISASTER RELIEF GRANTS	<u>\$ 125,000</u>	<u>\$ 125,000</u>

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 28 SECTION 15. APPROPRIATIONS - RADIOLOGICAL EMERGENCY RESPONSE PLANS. There  
 29 is hereby appropriated, to the Arkansas Department of Emergency Management, to  
 30 be payable from cash funds as defined by Arkansas Code 19-4-801 of the  
 31 Arkansas Department of Emergency Management, for operating expenses of a  
 32 program to protect from accidental releases of radiological elements of the  
 33 Arkansas Department of Emergency Management for the biennial period ending  
 34 June 30, 2003, the following:

35			
36	ITEM	FISCAL YEARS	



NO.	2001-2002	2002-2003
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	8,000	8,000
(B) CONF. & TRAVEL	9,000	9,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	10,000	10,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 27,000</u>	<u>\$ 27,000</u>

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITION TRANSFER. Upon approval of the Chief Fiscal Officer, the State Office of Emergency Services is hereby authorized to transfer positions between appropriations as may be required should a disaster occur which results in a Presidential Disaster Proclamation and/or when an employee occupies one position which is to be paid from two or more appropriations during a single fiscal year. The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003.

SECTION 17. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause a fund balance to decline to less than fifty percent (50%) of the balance available on July 1, 2001, the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs

1 or one-time purchase of capitalized items.  
2 4) a statement certifying that the expenditure of fund balances will not  
3 jeopardize the financial health of the agency, nor result in a permanent  
4 depletion of the fund balance.

5 (B) The Chief Fiscal Officer of the State shall review the request and  
6 approve or disapprove all or any part of the request , after having sought  
7 prior review by the Legislative Council.

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9 SECTION 18. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
10 by this act shall be limited to the appropriation for such agency and funds  
11 made available by law for the support of such appropriations; and the  
12 restrictions of the State Purchasing Law, the General Accounting and Budgetary  
13 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures  
14 and Restrictions Act, or their successors, and other fiscal control laws of  
15 this State, where applicable, and regulations promulgated by the Department of  
16 Finance and Administration, as authorized by law, shall be strictly complied  
17 with in disbursement of said funds.

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

27  
28 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the General  
29 Assembly, that the Constitution of the State of Arkansas prohibits the  
30 appropriation of funds for more than a two (2) year period; that the  
31 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
32 agency for which the appropriations in this Act are provided, and that in the  
33 event of an extension of the Regular Session, the delay in the effective date  
34 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
35 administration and provision of essential governmental programs. Therefore, an  
36 emergency is hereby declared to exist and this Act being necessary for the

1 immediate preservation of the public peace, health and safety shall be in full  
2 force and effect from and after July 1, 2001.

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