

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 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 1388

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

8  
9 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
10 IMPROVEMENT APPROPRIATIONS FOR THE STATE MILITARY  
11 DEPARTMENT; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14  
15 AN ACT FOR THE STATE MILITARY  
16 DEPARTMENT REAPPROPRIATION.  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. REAPPROPRIATION - FEDERAL FUNDS. There is hereby appropriated,  
22 to the State Military Department, to be payable from the federal funds as  
23 designated by the Chief Fiscal Officer of the State, for the State Military  
24 Department, the following:

25 (A) Effective July 1, 2005, the balance of the appropriation provided in  
26 Item (G) of Section 1 of Act 98 of 2003, for construction of an Army aviation  
27 support facility and hangar for new tactical helicopter equipment and  
28 personnel, in a sum not to exceed .....\$22,700,000.  
29

30 (B) Effective July 1, 2005, the balance of the appropriation provided in  
31 Item (I) of Section 1 of Act 98 of 2003, for construction and related  
32 expenses for a Combined Support Maintenance Shop, in a sum not to exceed  
33 .....\$11,100,724.  
34

35 (C) Effective July 1, 2005, the balance of the appropriation provided in  
36 Item (J) of Section 1 of Act 98 of 2003, for construction and related



1 expenses for an Ammunition Supply Point at Camp Robinson, in a sum not to  
2 exceed .....\$3,544,800.

3  
4 (D) Effective July 1, 2005, the balance of the appropriation provided in  
5 Item (K) of Section 1 of Act 98 of 2003, for construction and related expense  
6 for a Centralized Vehicle Wash Facility for cleaning heavy/tracked vehicles,  
7 to provide vehicle maintenance for mechanized or tracked units and related  
8 services, in a sum not to exceed .....\$1,065,500.

9  
10 (E) Effective July 1, 2005, the balance of the appropriation provided in  
11 Item (L) of Section 1 of Act 98 of 2003, for construction and related  
12 expenses for an Organizational Maintenance Shop in Searcy, Arkansas, in a sum  
13 not to exceed .....\$1,373,986.

14  
15 (F) Effective July 1, 2005, the balance of the appropriation provided in  
16 Item (B) of Section 1 of Act 98 of 2003, for constructing and equipping the  
17 National Guard Armory in Warren, Arkansas, in a sum not to exceed ..\$184,280.

18  
19 (G) Effective July 1, 2005, the balance of the appropriation provided in  
20 Item (D) of Section 1 of Act 98 of 2003, for constructing and equipping a  
21 National Guard Military Operations Urban Terrain (MOUT) Training Facility ,  
22 in a sum not to exceed .....\$3,575,560.

23  
24 (H) Effective July 1, 2005, the balance of the appropriation provided in  
25 Item (E) of Section 1 of Act 98 of 2003, for constructing and equipping the  
26 National Guard Organizational Maintenance Shop in Jonesboro, Arkansas, in a  
27 sum not to exceed .....\$1,970,520.

28  
29 (I) Effective July 1, 2005, the balance of the appropriation provided in  
30 Item (A) of Section 2 of Act 161 of 2003, for building an Army Aviation  
31 Support Facility with a hanger and administrative space, in a sum not to  
32 exceed .....\$35,256,300.

33  
34 (J) Effective July 1, 2005, the balance of the appropriation provided in  
35 Item (C) of Section 2 of Act 161 of 2003, for construction of a new  
36 Ammunition Supply Point at Fort Chaffee Maneuver Training Center for

1 amunition storage, handling, shipment and administration, in a sum not to  
2 exceed .....\$14,431,473.

3  
4 (K) Effective July 1, 2005, the balance of the appropriation provided in  
5 Item (D) of Section 2 of Act 161 of 2003, for an 89 person readiness center  
6 of permanent construction for the Warren Armory, in a sum not to exceed  
7 .....\$2,923,743.

8  
9 (L) Effective July 1, 2005, the balance of the appropriation provided in  
10 Item (E) of Section 2 of Act 161 of 2003, for construction of an access  
11 control booth and electrically powered gates for traffic control/access to  
12 the main entrance at Camp Robinson, in a sum not to exceed .....\$14,376,300.

13  
14 (M) Effective July 1, 2005, the balance of the appropriation provided in  
15 Item (F) of Section 2 of Act 161 of 2003, for construction of a new  
16 Ammunition Supply Point at Camp Robinson for ammunition storage, handling,  
17 shipment and administration, in a sum not to exceed .....\$3,536,300.

18  
19 (N) Effective July 1, 2005, the balance of the appropriation provided in  
20 Item (G) of Section 2 of Act 161 of 2003, for construction of an access  
21 control booth and electrically powered gates for traffic control/access to  
22 the main entrance at the Fort Chaffee Maneuver Training Center, in a sum not  
23 to exceed .....\$1,952,500.

24  
25 (O) Effective July 1, 2005, the balance of the appropriation provided in  
26 Item (H) of Section 2 of Act 161 of 2003, for construction of a "contonement"  
27 or "central facility" area fence for the training area at Camp Robinson to  
28 meet current anti-terrorism/force protection requirements, in a sum not to  
29 exceed .....\$3,663,000.

30  
31 (P) Effective July 1, 2005, the balance of the appropriation provided in  
32 Item (I) of Section 2 of Act 161 of 2003, for construction of a "contonement"  
33 or "central facility" area fence for the training area at Fort Chaffee  
34 Maneuver Training Center to meet current anti-terrorism/force protection  
35 requirements, in a sum not to exceed .....\$3,663,000.

36

1 (Q) Effective July 1, 2005, the balance of the appropriation provided in  
2 Item (J) of Section 2 of Act 161 of 2003, for construction of an additional  
3 thirty-five (35) miles of fencing for the training area at Camp Robinson to  
4 meet current anti-terrorism/force protection requirements, in a sum not to  
5 exceed .....\$3,663,000.  
6

7 SECTION 2. REAPPROPRIATION - GENERAL IMPROVMENT FUNDS. There is hereby  
8 appropriated, to the State Military Department, to be payable from the  
9 General Improvement Fund or its successor fund or fund accounts, for the  
10 State Military Department, the following:

11 (A) Effective July 1, 2005, the balance of the appropriation provided in  
12 Item (A) of Section 2 of Act 98 of 2003, for Phase I and II Armory  
13 Rehabilitation Projects, for major repairs, renovations and construction  
14 related projects for armories, in a sum not to exceed .....\$84,728.  
15

16 (B) Effective July 1, 2005, the balance of the appropriation provided in  
17 Item (B) of Section 2 of Act 98 of 2003, for construction, major maintenance,  
18 repairs, asphalt paving and associated expenses at various National Guard  
19 Armories including Warren, Mountain Home, West Memphis and an Aviation Armory  
20 at Camp Robinson, in a sum not to exceed .....\$1,602,560.  
21

22 (C) Effective July 1, 2005, the balance of the appropriation provided in  
23 Item (C) of Section 2 of Act 98 of 2003, for the rehabilitation of National  
24 Guard armories throughout the State to ensure combat and State emergency  
25 readiness, in a sum not to exceed .....\$168,902.  
26

27 (D) Effective July 1, 2005, the balance of the appropriation provided in  
28 Item (A) of Section 1 of Act 1683 of 2003, for improvements to the Wynne  
29 National Guard Armory, in a sum not to exceed .....\$20,000.  
30

31 (E) Effective July 1, 2005, the balance of the appropriation provided in  
32 Item (C) of Section 1 of Act 161 of 2003, for alterations to existing  
33 buildings to meet ADA regulations including ramps, restroom alterations,  
34 passageway alterations and parking spaces, in a sum not to exceed ..\$174,800.  
35

36 SECTION 3. REAPPROPRIATION - CASH FUNDS. There is hereby appropriated, to

1 the State Military Department, to be payable from the cash fund deposited in  
2 the State Treasury as determined by the Chief Fiscal Officer of the State,  
3 for the State Military Department, the following:

4 (A) Effective July 1, 2005, the balance of the appropriation provided in  
5 Item (A) of Section 4 of Act 98 of 2003, for construction and construction  
6 related services at the Armory in Hazen, Arkansas, in a sum not to exceed  
7 .....\$44,796.

8  
9 SECTION 4. REAPPROPRIATION - MISCELLANEOUS REVENUE. There is hereby  
10 appropriated, to the State Military Department, to be payable from the Armory  
11 Construction Fund, for the State Military Department, the following:

12 (A) Effective July 1, 2005, the balance of the appropriation provided in  
13 Item (A) of Section 3 of Act 98 of 2003, for repair, construction,  
14 renovation, landscaping and maintenance of armories, hangars, and other  
15 properties held for the use and benefit of the Arkansas National Guard, in a  
16 sum not to exceed .....\$128,292.

17  
18 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
19 obligations otherwise incurred in relation to the project or projects  
20 described herein in excess of the State Treasury funds actually available  
21 therefor as provided by law. Provided, however, that institutions and  
22 agencies listed herein shall have the authority to accept and use grants and  
23 donations including Federal funds, and to use its unobligated cash income or  
24 funds, or both available to it, for the purpose of supplementing the State  
25 Treasury funds for financing the entire costs of the project or projects  
26 enumerated herein. Provided further, that the appropriations and funds  
27 otherwise provided by the General Assembly for Maintenance and General  
28 Operations of the agency or institutions receiving appropriation herein shall  
29 not be used for any of the purposes as appropriated in this act.

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

36

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

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