

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 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1289

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.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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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, 2009, the balance of the appropriation provided in  
26 Item (C) of Section 1 of Act 354 of 2007, for construction and related  
27 expenses for an Ammunition Supply Point at Camp Robinson, in a sum not to  
28 exceed .....\$3,337,502.

29 (B) Effective July 1, 2009, the balance of the appropriation provided in  
30 Item (D) of Section 1 of Act 354 of 2007, for construction and related  
31 expenses for a Centralized Vehicle Wash Facility for cleaning heavy/tracked  
32 vehicles, to provide vehicle maintenance for mechanized or tracked units and  
33 related services, in a sum not to exceed .....\$1,065,600.

34 (C) Effective July 1, 2009, the balance of the appropriation provided in  
35 Item (F) of Section 1 of Act 354 of 2007, for constructing and equipping a  
36 National Guard Military Operations Urban Terrain (MOUT) Training Facility, in



1 a sum not to exceed .....\$3,431,820.

2 (D) Effective July 1, 2009, the balance of the appropriation provided in  
3 Item (H) of Section 1 of Act 354 of 2007, for building an Army Aviation  
4 Support Facility with a hangar and administrative space, in a sum not to  
5 exceed .....\$9,024,094.

6 (E) Effective July 1, 2009, the balance of the appropriation provided in  
7 Item (M) of Section 1 of Act 354 of 2007, for construction of a "contonement"  
8 or "central facility" area fence for the training area at Camp Robinson to  
9 meet current anti-terrorism/force protection requirements, in a sum not to  
10 exceed .....\$3,663,000.

11 (F) Effective July 1, 2009, the balance of the appropriation provided in  
12 Item (N) of Section 1 of Act 354 of 2007, for construction of "contonement"  
13 or "central facility" area fence for the training area at the Fort Chaffee  
14 Maneuver Training Center to meet current anti-terrorism/force protection  
15 requirements, in a sum not to exceed .....\$3,663,000.

16 (G) Effective July 1, 2009, the balance of the appropriation provided in  
17 Item (O) of Section 1 of Act 354 of 2007, for construction of an additional  
18 thirty-five (35) miles of fencing for the training area at Camp Robinson to  
19 meet current anti-terrorism/force protection requirements, in a sum not to  
20 exceed .....\$3,633,000.

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22 SECTION 2. REAPPROPRIATION - GENERAL IMPROVEMENT FUNDS. There is hereby  
23 appropriated, to the State Military Department, to be payable from the  
24 General Improvement Fund or its successor fund or fund accounts, for the  
25 State Military Department, the following:

26 (A) Effective July 1, 2009, the balance of the appropriation provided in  
27 Item (A) of Section 3 of Act 354 of 2007, for construction, major  
28 maintenance, repairs, asphalt paving and associated expenses at various  
29 National Guard Armories including, Warren, Mountain Home, West Memphis and an  
30 Aviation Armory at Camp Robinson, in a sum not to exceed .....\$456,430.

31 (B) Effective July 1, 2009, the balance of the appropriation provided in  
32 Item (B) of Section 3 of Act 354 of 2007, for critically needed maintenance  
33 for National Guard Armories state-wide for the State Military Department, in  
34 a sum not to exceed .....\$435,303.

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

1 to the State Military Department, to be payable from the federal funds as  
2 designated by the Chief Fiscal Officer of the State, for the State Military  
3 Department, the following:

4 (A) Effective July 1, 2009, the balance of the appropriation provided in  
5 Item (B) of Section 2 of Act 354 of 2007, for construction of a Camp Robinson  
6 Aviation Armory Addition, in a sum not to exceed .....\$3,804,159.

7 (B) Effective July 1, 2009, the balance of the appropriation provided in  
8 Item (D) of Section 2 of Act 354 of 2007, for construction of a Combined  
9 Support Maintenance Sub-Shop, in a sum not to exceed .....\$9,639,330.

10 (C) Effective July 1, 2009, the balance of the appropriation provided in  
11 Item (E) of Section 2 of Act 354 of 2007, for construction of a Multi-Purpose  
12 Machinegun/Sniper Range at Ft. Chaffee Maneuver Training Center, in a sum not  
13 to exceed .....\$1,404,290.

14 (D) Effective July 1, 2009, the balance of the appropriation provided in  
15 Item (F) of Section 2 of Act 354 of 2007, for CMTC Sewer Collection System  
16 Repair/Replacement, in a sum not to exceed .....\$3,145,055.

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18 SECTION 4. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to the  
19 State Military Department, to be payable from the federal funds as designated  
20 by the Chief Fiscal Officer of the State, for the State Military Department,  
21 the following:

22 (A) Effective July 1, 2009, the balance of the appropriation provided in  
23 Item (A) of Section 2 of Act 1322 of 2007, for construction of Phase I  
24 facilities for the Regional Training Institute Complex, in a sum not to  
25 exceed .....\$6,305,874.

26 (B) Effective July 1, 2009, the balance of the appropriation provided in  
27 Item (B) of Section 2 of Act 1322 of 2007, for major repairs and renovations  
28 of State Armories, in a sum not to exceed .....\$10,000,000.

29 (C) Effective July 1, 2009, the balance of the appropriation provided in  
30 Item (C) of Section 2 of Act 1322 of 2007, for construction and renovation of  
31 Administration Building Addition, in a sum not to exceed .....\$683,812.

32 (D) Effective July 1, 2009, the balance of the appropriation provided in  
33 Item (D) of Section 2 of Act 1322 of 2007, for ADA compliance renovations, in  
34 a sum not to exceed .....\$750,000.

35 (E) Effective July 1, 2009, the balance of the appropriation provided in  
36 Item (E) of Section 2 of Act 1322 of 2007, for construction of a Cabot

1 Armory, in a sum not to exceed .....\$5,947,959.

2 (F) Effective July 1, 2009, the balance of the appropriation provided in  
3 Item (F) of Section 2 of Act 1322 of 2007, for the West Memphis Armory, in a  
4 sum not to exceed .....\$6,039,152.

5 (G) Effective July 1, 2009, the balance of the appropriation provided in  
6 Item (G) of Section 2 of Act 1322 of 2007, for parking lot construction and  
7 improvements at various armories including paving, fencing and lighting, in a  
8 sum not to exceed .....\$3,128,000.

9 (H) Effective July 1, 2009, the balance of the appropriation provided in  
10 Item (H) of Section 2 of Act 1322 of 2007, for updating spaces for the Army  
11 Modular Force including classrooms, offices and storage rooms, in a sum not  
12 to exceed .....\$2,224,000.

13 (I) Effective July 1, 2009, the balance of the appropriation provided in  
14 Item (I) of Section 2 of Act 1322 of 2007, for construction of the Camp  
15 Robinson Ammo Supply Point, in a sum not to exceed .....\$5,775,523.

16 (J) Effective July 1, 2009, the balance of the appropriation provided in  
17 Item (K) of Section 2 of Act 1322 of 2007, for construction of a Combined  
18 Support Maintenance Shop at Camp Robinson, in a sum not to exceed  
19 .....\$32,312,471.

20 (K) Effective July 1, 2009, the balance of the appropriation provided in  
21 Item (L) of Section 2 of Act 1322 of 2007, for construction of a Maintenance  
22 Shop at the Searcy Field, in a sum not to exceed .....\$2,322,550.

23 (L) Effective July 1, 2009, the balance of the appropriation provided in  
24 Item (M) of Section 2 of Act 1322 of 2007, for repair and replacement of the  
25 sewer collection system, in a sum not to exceed .....\$3,220,223.

26 (M) Effective July 1, 2009, the balance of the appropriation provided in  
27 Item (01) of Section 5 of Act 1290 of 2007, for construction of a Cabot  
28 Armory, in a sum not to exceed.....\$5,736,041.

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30 SECTION 5. REAPPROPRIATION - TEACHER PAY. There is hereby appropriated, to  
31 the State Military Department, to be payable from the General Improvement  
32 Fund or its successor fund or fund accounts, for the State Military  
33 Department, the following:

34 (A) Effective July 1, 2009, the balance of the appropriation provided in  
35 Item (A) of Section 1 of Act 809 of 2007, for payment of teachers in the  
36 Arkansas National Guard Youth Challenge Program and/or the C-Step Program, in

1 a sum not to exceed .....\$70,000.

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3 SECTION 6. REAPPROPRIATION - GENERAL IMPROVEMENT FUNDS. There is hereby  
4 appropriated, to the State Military Department, to be payable from the  
5 General Improvement Fund or its successor fund or fund accounts, for the  
6 State Military Department, the following:

7 (A) Effective July 1, 2009, the balance of the appropriation provided in  
8 Item (D) of Section 3 of Act 354 of 2007, for the rehabilitation of National  
9 Guard Armories throughout the State to ensure combat and State emergency  
10 readiness, in a sum not to exceed .....\$131,149.

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12 SECTION 7. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby  
13 appropriated, to the State Military Department, to be payable from the  
14 General Improvement Fund or its successor fund or fund accounts, for the  
15 State Military Department, the following:

16 (A) Effective July 1, 2009, the balance of the appropriation provided in  
17 Item (A) of Section 1 of Act 1322 of 2007, for various maintenance,  
18 renovation, equipping, construction, acquisition, improvement, update and  
19 repair projects for State Armories, in a sum not to exceed .....\$2,900,000.

20 (B) Effective July 1, 2009, the balance of the appropriation provided in  
21 Item (B) of Section 1 of Act 1322 of 2007, for renovations to comply with ADA  
22 requirements, in a sum not to exceed .....\$750,000.

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24 SECTION 8. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to the  
25 State Military Department, to be payable from the federal funds as designated  
26 by the Chief Fiscal Officer of the State, for the State Military Department,  
27 the following:

28 (A) Effective July 1, 2009, the balance of the appropriation provided in  
29 Item (01) of Section 5 of Act 1290 of 2007, for construction of a PEC GED  
30 Training Complex, in a sum not to exceed .....\$19,943,100.

31 (B) Effective July 1, 2009, the balance of the appropriation provided in  
32 Item (01) of Section 5 of Act 1290 of 2007, for construction of a Combined  
33 Support Maintenance Sub-Shop at Fort Chaffee, in a sum not to exceed  
34 .....\$31,300,000.

35 (C) Effective July 1, 2009, the balance of the appropriation provided in  
36 Item (01) of Section 5 of Act 1290 of 2007, for construction of a Camden

1 Readiness Center, in a sum not to exceed .....\$10,174,720.

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3 SECTION 9. REAPPROPRIATION - WORLD WAR II MURAL. There is hereby  
4 appropriated, to the State Military Department, to be payable from the  
5 Arkansas Natural and Cultural Resources Grant and Trust Fund, for the State  
6 Military Department, the following:

7 (A) Effective July 1, 2009, the balance of the appropriation provided in  
8 Item (1) of Section 30 of Act 793 of 2007, for design, construction and  
9 equipping of a World War II Mural, in a sum not to exceed .....\$25,200.

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11 SECTION 10. REAPPROPRIATION - GENERAL IMPROVEMENT FUNDS. There is hereby  
12 appropriated, to the State Military Department, to be payable from the  
13 General Improvement Fund or its successor fund or fund accounts, for the  
14 State Military Department, the following:

15 (A) Effective July 1, 2009, the balance of the appropriation provided in  
16 Item (E) of Section 3 of Act 354 of 2007, for alterations to existing  
17 buildings to meet ADA regulations including ramps, restroom alterations,  
18 passageway alterations and parking spaces, in a sum not to exceed....\$13,810.

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20 SECTION 11. REAPPROPRIATION - MISCELLANEOUS REVENUE. There is hereby  
21 appropriated, to the State Military Department, to be payable from the Armory  
22 Construction Fund, for the State Military Department, the following:

23 (A) Effective July 1, 2009, the balance of the appropriation provided in  
24 Item (A) of Section 4 of Act 354 of 2007, for repair, construction,  
25 renovation, landscaping and maintenance of armories, hangars, and other  
26 properties held for the use and benefit of the Arkansas National Guard, in a  
27 sum not to exceed .....\$128,292.

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29 SECTION 12. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
30 obligations otherwise incurred in relation to the project or projects  
31 described herein in excess of the State Treasury funds actually available  
32 therefor as provided by law. Provided, however, that institutions and  
33 agencies listed herein shall have the authority to accept and use grants and  
34 donations including Federal funds, and to use its unobligated cash income or  
35 funds, or both available to it, for the purpose of supplementing the State  
36 Treasury funds for financing the entire costs of the project or projects

1 enumerated herein. Provided further, that the appropriations and funds  
2 otherwise provided by the General Assembly for Maintenance and General  
3 Operations of the agency or institutions receiving appropriation herein shall  
4 not be used for any of the purposes as appropriated in this act.

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

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

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21 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the General  
22 Assembly, that the Constitution of the State of Arkansas prohibits the  
23 appropriation of funds for more than a one (1) year period; that the  
24 effectiveness of this Act on July 1, 2009 is essential to the operation of  
25 the agency for which the appropriations in this Act are provided, and that in  
26 the event of an extension of the Regular Session, the delay in the effective  
27 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
28 proper administration and provision of essential governmental programs.  
29 Therefore, an emergency is hereby declared to exist and this Act being  
30 necessary for the immediate preservation of the public peace, health and  
31 safety shall be in full force and effect from and after July 1, 2009.