

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

*As Engrossed: H3/14/17*

# A Bill

HOUSE BILL 1709

5 By: Representative Hammer  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE ARKANSAS DEPARTMENT OF  
10 EMERGENCY MANAGEMENT - FIRE RATING REDUCTION PLAN FOR  
11 THE FISCAL YEAR ENDING JUNE 30, 2018; AND FOR OTHER  
12 PURPOSES.  
13  
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## Subtitle

15 AN ACT FOR THE ARKANSAS DEPARTMENT OF  
16 EMERGENCY MANAGEMENT - FIRE RATING  
17 REDUCTION PLAN APPROPRIATION FOR THE  
18 2017-2018 FISCAL YEAR.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. EXTRA HELP. There is hereby authorized, for the Arkansas  
25 Department of Emergency Management for the 2017-2018 fiscal year, the  
26 following maximum number of part-time or temporary employees, to be known as  
27 "Extra Help", payable from funds appropriated herein for such purposes: one  
28 (1) temporary or part-time employees, when needed, at rates of pay not to  
29 exceed those provided in the Uniform Classification and Compensation Act, or  
30 its successor, or this act for the appropriate classification.  
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32 SECTION 2. APPROPRIATION - FIRE RATING REDUCTION PLAN. There is hereby  
33 appropriated, to the Arkansas Department of Emergency Management, to be  
34 payable from the Miscellaneous Agencies Fund Account, for personal services,  
35 operating expenses and Fire Rating Reduction Plan grants by the Arkansas  
36 Department of Emergency Management for the fiscal year ending June 30, 2018,



1 the following:

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3 ITEM	FISCAL YEAR
4 NO.	2017-2018
5 (01) EXTRA HELP	\$30,000
6 (02) MAINT. & GEN. OPERATION	
7 (A) OPER. EXPENSE	5,000
8 (B) CONF. & TRAVEL	5,000
9 (C) PROF. FEES	0
10 (D) CAP. OUTLAY	0
11 (E) DATA PROC.	0
12 (03) FIRE RATING REDUCTION GRANTS	<u>207,945</u>
13 TOTAL AMOUNT APPROPRIATED	<u><u>\$247,945</u></u>

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15 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
 17 TRANSFER. Immediately upon the effective date of this section, the Chief  
 18 Fiscal Officer of the State shall transfer on his or her books and those of  
 19 the State Treasurer and the Auditor of State the sum of two hundred forty-  
 20 seven thousand nine hundred and forty-five dollars (\$247,945) or so much as  
 21 is available from the unobligated balances that have accumulated for over  
 22 three (3) years in the Fire Protection Premium Tax Fund to the Miscellaneous  
 23 Agencies Fund Account to provide funds to be used exclusively for the Fire  
 24 Rating Reduction Plan and associated costs as appropriated in this Act. Any  
 25 unexpended balance of funds authorized in this Act for the Fire Rating  
 26 Reduction Plan and associated expenses shall be carried forward and made  
 27 available for the same purposes each fiscal year.

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29 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FIRE  
 31 RATING REDUCTION PLAN. The Arkansas Department of Emergency Management shall  
 32 promulgate rules for the development and implementation of a Fire Rating  
 33 Reduction Plan by October 31, 2017.

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

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

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28 SECTION 7. 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 one (1) year period; that the  
31 effectiveness of this Act on July 1, 2017 is essential to the operation of  
32 the agency for which the appropriations in this Act are provided; with the  
33 exception that Section 3 in this Act shall be in full force and effect from  
34 and after the date of its passage and approval, and that in the event of an  
35 extension of the legislative session, the delay in the effective date of this  
36 Act beyond July 1, 2017, with the exception that Section 3 in this Act shall

1 be in full force and effect from and after the date of its passage and  
2 approval, could work irreparable harm upon the proper administration and  
3 provision of essential governmental programs. Therefore, an emergency is  
4 hereby declared to exist and this Act being necessary for the immediate  
5 preservation of the public peace, health and safety shall be in full force  
6 and effect from and after July 1, 2017; with the exception that Section 3 of  
7 this Act shall be in full force and effect from and after the date of its  
8 passage and approval.

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10 */s/Hammer*  
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