

1 State of Arkansas  
2 90th General Assembly  
3 Third Extraordinary Session, 2016  
4

Call Item 2

# A Bill

SENATE BILL 12

5 By: Senators Hickey, B. Sample, Caldwell  
6 By: Representative D. Douglas  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING ARKANSAS HIGHWAYS, ROADS, AND  
10 BRIDGES; TO INCREASE FUNDING FOR ARKANSAS HIGHWAYS,  
11 ROADS, AND BRIDGES; TO REQUIRE REPORTING BY THE  
12 ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT;  
13 TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.  
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## Subtitle

17 TO INCREASE FUNDING FOR ARKANSAS  
18 HIGHWAYS, ROADS, AND BRIDGES; TO REQUIRE  
19 REPORTING BY THE ARKANSAS STATE HIGHWAY  
20 AND TRANSPORTATION DEPARTMENT; AND TO  
21 DECLARE AN EMERGENCY.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. The Chief Fiscal Officer  
27 of the State shall make a one-time transfer on his or her books and those of  
28 the Treasurer of State and the Auditor of State of the sum of forty million  
29 dollars (\$40,000,000) from the funds available in the Rainy Day Set-Aside of  
30 the 90<sup>th</sup> Session Projects Account of the General Improvement Fund as  
31 authorized by Acts 2015, No. 1147, § 3(a)(11), to the State Highway and  
32 Transportation Department Fund.  
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34 SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY. Before crediting the  
35 interest income earnings as required under Arkansas Code § 19-5-501(a)(2),  
36 the Treasurer of State shall make a one-time transfer of one million five



1 hundred thousand dollars (\$1,500,000) to the State Highway and Transportation  
2 Department Fund, to be transferred only in fiscal year 2017.

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4 SECTION 3. TEMPORARY LANGUAGE. DO NOT CODIFY. For fiscal year 2017,  
5 the sales and use taxes levied under Arkansas Constitution, Amendment 91, §  
6 3, are not subject to deduction, transfer, or distribution to the  
7 Constitutional Officers Fund or the State Central Services Fund under  
8 Arkansas Code §§ 19-5-202, 19-5-203, and 19-5-205.

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10 SECTION 4. TEMPORARY LANGUAGE. DO NOT CODIFY. (a) Every other month,  
11 the Arkansas State Highway and Transportation Department shall report the  
12 department's activities to the joint meetings of the Senate Committee on  
13 Public Transportation, Technology, and Legislative Affairs and the House  
14 Committee on Public Transportation.

15 (b) The Senate Committee on Public Transportation, Technology, and  
16 Legislative Affairs and the House Committee on Public Transportation shall  
17 meet every other month when the General Assembly is not in session to review  
18 the activities of the department.

19 (c) This section expires June 30, 2017.

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21 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
22 Assembly of the State of Arkansas that Arkansas highways, roads, and bridges  
23 are in need of repair and proper maintenance; that the repair and proper  
24 maintenance of Arkansas highways, roads, and bridges are necessary for the  
25 preservation of the public peace, health, and safety; that increased funding  
26 is essential to the immediate repair and proper maintenance of Arkansas  
27 highways, roads, and bridges; that it is essential that this act be given  
28 effect on July 1, 2016, to coincide with the beginning of a new fiscal year;  
29 that under the Constitution of Arkansas, acts without an emergency clause do  
30 not take effect until ninety (90) days after sine die adjournment of the  
31 General Assembly; that unless an emergency is declared, extension of the 2016  
32 Third Extraordinary Session of the General Assembly will result in a delay in  
33 the effective date of this act beyond July 1 and would work irreparable harm;  
34 and this act is necessary because without the increased funding provided by  
35 this act, the repair and proper maintenance of Arkansas highways, roads, and  
36 bridges may not be performed. Therefore, an emergency is declared to exist,

1 and this act being necessary for the preservation of the public peace,  
2 health, and safety shall become effective on July 1, 2016.

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