

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.

Act 233 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S2/10/05

A Bill

SENATE BILL 89

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
11 DEPARTMENT OF AERONAUTICS FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE ARKANSAS DEPARTMENT OF
16 AERONAUTICS APPROPRIATION FOR THE
17 2005-2007 BIENNIUM.
18
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20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
24 Department of Aeronautics for the 2005-2007 biennium, the following maximum
25 number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
34
35

Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years 2005-2006	Salary Rate Fiscal Years 2006-2007
1	(1)	9967 AERONAUTICS DIRECTOR	1	\$77,217	\$79,234
2	(2)	R151 AERONAUTICS ASSISTANT DIRECTOR	1	GRADE 23	
3	(3)	X338 ENGINEER, PE	1	GRADE 22	
4	(4)	R266 MANAGEMENT PROJECT ANALYST II	<u>1</u>	GRADE 20	
5		MAX. NO. OF EMPLOYEES	4		

SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Arkansas Department of Aeronautics, to be payable from the Department of Aeronautics Fund, for personal services and operating expenses of the Arkansas Department of Aeronautics for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 231,205	\$ 237,794
(02) PERSONAL SERVICES MATCHING	58,826	60,064
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	157,529	160,029
(B) CONF. & TRAVEL	9,000	9,000
(C) PROF. FEES	12,000	12,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) GRANTS TO CITIES AND COUNTIES	<u>6,500,000</u>	<u>6,500,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 6,968,560</u>	<u>\$ 6,978,887</u>

SECTION 3. APPROPRIATION - FEDERAL GRANTS. There is hereby appropriated, to the Arkansas Department of Aeronautics, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for grants to cities and counties by the Arkansas Department of Aeronautics for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007

1 (01) GRANTS TO CITIES AND COUNTIES \$ 12,000,000 \$ 12,000,000
 2

3 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 5 BALANCES - DEPARTMENT OF AERONAUTICS FUND. (A) For all appropriations as
 6 provided in this Act, the agency disbursing officer shall monitor the level
 7 of fund balances in relation to expenditures on a monthly basis. If any
 8 proposed expenditures would cause the Department of Aeronautics Fund to
 9 decline below ~~four million two hundred ten thousand one hundred and six~~
 10 ~~dollars (\$4,210,106)~~ two million one hundred thousand dollars (\$2,100,000),
 11 the disbursing officer shall immediately notify the executive head of the
 12 agency. Prior to any obligations being made under these circumstances, the
 13 agency head shall file written documentation with the Chief Fiscal Officer of
 14 the State requesting approval of the expenditures. Such documentation shall
 15 provide sufficient financial data to justify the expenditures and shall
 16 include the following:

- 17 1) a plan that clearly indicates the specific fiscal impact of such
 18 expenditures on the fund balance.
 19 2) information clearly indicating and explaining what programs would be cut
 20 or any other measures to be taken by the agency to restore the fund balance.
 21 3) the extent to which any of the planned expenditures are for one-time costs
 22 or one-time purchase of capitalized items.
 23 4) a statement certifying that the expenditure of fund balances will not
 24 jeopardize the financial health of the agency, nor result in a permanent
 25 depletion of the fund balance.

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

29 The provisions of this section shall be in effect only from July 1, ~~2003~~
 30 2005 through June 30, ~~2005~~ 2007.

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32 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

34 DISTRIBUTIONS AND TRANSFERS. For any duplicate distributions or transfers
 35 erroneously made to the Arkansas Department of Aeronautics Fund established
 36 by Arkansas Code 19-6-402 during the fiscal years 1999 through 2004, shall

1 remain in the fund there to be used for the purposes as provided by law.

2
3 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
4 by this act shall be limited to the appropriation for such agency and funds
5 made available by law for the support of such appropriations; and the
6 restrictions of the State Procurement Law, the General Accounting and
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
8 Procedures and Restrictions Act, or their successors, and other fiscal
9 control laws of this State, where applicable, and regulations promulgated by
10 the Department of Finance and Administration, as authorized by law, shall be
11 strictly complied with in disbursement of said funds.

12
13 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly
14 that any funds disbursed under the authority of the appropriations contained
15 in this act shall be in compliance with the stated reasons for which this act
16 was adopted, as evidenced by the Agency Requests, Executive Recommendations
17 and Legislative Recommendations contained in the budget manuals prepared by
18 the Department of Finance and Administration, letters, or summarized oral
19 testimony in the official minutes of the Arkansas Legislative Council or
20 Joint Budget Committee which relate to its passage and adoption.

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22 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
23 Assembly, that the Constitution of the State of Arkansas prohibits the
24 appropriation of funds for more than a two (2) year period; that the
25 effectiveness of this Act on July 1, 2005 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the Regular Session, the delay in the effective
28 date of this Act beyond July 1, 2005 could work irreparable harm upon the
29 proper administration and provision of essential governmental programs.
30 Therefore, an emergency is hereby declared to exist and this Act being
31 necessary for the immediate preservation of the public peace, health and
32 safety shall be in full force and effect from and after July 1, 2005.

33
34 /s/ Joint Budget Committee

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APPROVED: 2/17/2005