

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: S3/7/11
A Bill

SENATE BILL 226

5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

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

14 **Subtitle**

15 AN ACT FOR THE ARKANSAS STATE HIGHWAY AND
16 TRANSPORTATION 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. There is hereby appropriated, to the
22 Arkansas State Highway and Transportation Department, to be payable from the
23 General Improvement Fund or its successor fund or fund accounts, for the
24 Arkansas State Highway and Transportation Department the following:

25 (A) Effective July 1, 2011, the balance of the appropriation provided
26 in Item (A) Section 1 of Act 288 of 2010, for grants to counties and
27 municipalities for operating, construction, improvements, renovation and
28 maintenance of public roadways, in a sum not to exceed.....\$29,345.
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30 (B) Effective July 1, 2011, the balance of the appropriation provided
31 in Item (B) Section 1 of Act 288 of 2010, for construction and renovations of
32 the Tourist Information Bureaus at Blytheville, West Memphis, *Helena-West*
33 *Helena*, and Lake Village, in a sum not to exceed.....\$702,045.
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35 (C) Effective July 1, 2011, the balance of the appropriation provided
36 in Item (C) Section 1 of Act 288 of 2010, for grants for infrastructure



1 needs, in a sum not to exceed.....\$30,000.

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3 (D) Effective July 1, 2011, the balance of the appropriation provided
4 in Item (D) Section 1 of Act 288 of 2010, for intermodal facilities and
5 infrastructure projects, in a sum not to exceed.....\$40,000.

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7 (E) Effective July 1, 2011, the balance of the appropriation provided
8 in Item (E) Section 1 of Act 288 of 2010, for repairs, draining and various
9 renovations, in a sum not to exceed.....\$83,603.

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11 (F) Effective July 1, 2011, the balance of the appropriation provided
12 in Item (F) Section 1 of Act 288 of 2010, for state assistance including
13 repairs, construction, and maintenance for state highways, in a sum not to
14 exceed.....\$170,000.

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16 *SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
17 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. As*
18 *referenced in Section 3 of Act 2315 of 2005, the authorized funding for the*
19 *Arkansas State Highway and Transportation Department for Construction and*
20 *Renovations of the Tourist Information Bureaus at Blytheville, West Memphis,*
21 *and Lake Village shall be deemed to also include Helena-West Helena.*

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23 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
24 obligations otherwise incurred in relation to the project or projects
25 described herein in excess of the State Treasury funds actually available
26 therefor as provided by law. Provided, however, that institutions and
27 agencies listed herein shall have the authority to accept and use grants and
28 donations including Federal funds, and to use its unobligated cash income or
29 funds, or both available to it, for the purpose of supplementing the State
30 Treasury funds for financing the entire costs of the project or projects
31 enumerated herein. Provided further, that the appropriations and funds
32 otherwise provided by the General Assembly for Maintenance and General
33 Operations of the agency or institutions receiving appropriation herein shall
34 not be used for any of the purposes as appropriated in this act.

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36 (B) The restrictions of any applicable provisions of the State
Purchasing Law, the General Accounting and Budgetary Procedures Law, the

1 Revenue Stabilization Law and any other applicable fiscal control laws of
2 this State and regulations promulgated by the Department of Finance and
3 Administration, as authorized by law, shall be strictly complied with in
4 disbursement of any funds provided by this act unless specifically provided
5 otherwise by law.

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

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16 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
17 Assembly, that the Constitution of the State of Arkansas prohibits the
18 appropriation of funds for more than a one (1) year period; that the
19 effectiveness of this Act on July 1, 2011 is essential to the operation of
20 the agency for which the appropriations in this Act are provided, and that in
21 the event of an extension of the legislative session, the delay in the
22 effective date of this Act beyond July 1, 2011 could work irreparable harm
23 upon the proper administration and provision of essential governmental
24 programs. Therefore, an emergency is hereby declared to exist and this Act
25 being necessary for the immediate preservation of the public peace, health
26 and safety shall be in full force and effect from and after July 1, 2011.

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28 */s/Joint Budget Committee*

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31 **APPROVED: 03/25/2011**