

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 2/24/87

SENATE BILL 267

By: Joint Budget Committee

AS ENGROSSED 3-31-87

"AN ACT TO MAKE AN APPROPRIATION FOR OPERATING AND OTHER EXPENSES OF THE PUBLIC TRANSPORTATION PROGRAM AND THE NOAA WEATHER WARNING SYSTEM OF THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1989; AND FOR OTHER PURPOSES."

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

SECTION 1. APPROPRIATIONS - PUBLIC TRANSPORTATION PROGRAM. There is hereby appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the State General Services Fund Account, for use in the preparation of project applications; program development; and, as matching monies for United States Department of Transportation funds and other federal funds for capital improvements to and operating assistance for the public transportation programs serving transportation-dependent persons for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(1) HIGHWAY & TRANSPORTATION DEPT. FUNDING ASSISTANCE TO RURAL AND URBAN PUBLIC TRANSPORTATION AGENCIES FOR PROJECT AND PROGRAM DEVELOPMENT AND CAPITAL IMPROVEMENTS TO & OPERATING ASSISTANCE FOR THE PUBLIC TRANSPORTATION PROGRAMS SERVING THE TRANSPORTATION-DEPENDENT	\$350,000	\$350,000
	=====	=====

The funding to be made available for the first \$150,000 of appropriation provided in this Section shall be limited to those monies obtained or estimated to be obtained for the fiscal year from the amount of increase in the minimum tax provided by Act 863 of 1983. This increase shall be \$6.00 for

each corporation which is required to pay the minimum fee and who pays such fee, or includes the minimum fee as part of the \$25.00 penalty as set out in Section 5 of Act 889 of 1979 [Ark. Stats. 84-1837].

Any further increases to the Corporate Franchise taxes which are enacted by the 76th General Assembly will be utilized to fund the remaining \$200,000 of appropriation.

SECTION 2. APPROPRIATIONS - NOAA WEATHER WARNING SYSTEM. There is hereby appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the State General Services Fund Account, for operating expenses of the National Oceanic and Atmospheric Administration Weather Warning Radio System by the Arkansas State Highway and Transportation Department for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(1) OPERATING EXPENSES	\$6,000	\$6,000
	=====	=====

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

If any provision of this Act or the application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application and to this end, the provisions of this Act are declared to be severable.

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

SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 6. CONTRACT RESTRICTIONS. The agency, board, commission, department or institution to whom funds are appropriated by this Act shall not enter into any contract for any professional or consultant services which shall extend for more than twenty (20) actual working days or the total compensation exceeds five thousand dollars (\$5,000) during any one fiscal year without first seeking the advice of the Arkansas Legislative Council. Provided further, that all contracts for professional or consultant services shall be submitted monthly to the Chief Fiscal Officer of the State for reporting to the Legislative Council.

SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Sixth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1987 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1987 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1987.

/s/ Howell

