

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

As Engrossed: H3/7/97

# A Bill

HOUSE BILL 1411

5 *By: Joint Budget Committee*  
6

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE  
9 HIGHWAY & TRANSPORTATION DEPARTMENT FOR THE PURCHASE OF  
10 REPLACEMENT VEHICLES FOR HUMAN SERVICE, RURAL AND URBAN  
11 PUBLIC TRANSPORTATION PROVIDERS; AND FOR OTHER PURPOSES."  
12

## Subtitle

13 "AN ACT FOR THE ARKANSAS STATE HIGHWAY &  
14 TRANSPORTATION DEPARTMENT-PUBLIC  
15 TRANSPORTATION VEHICLES CAPITAL  
16 IMPROVEMENT APPROPRIATION."  
17  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. APPROPRIATIONS . There is hereby appropriated, to the  
22 Arkansas State Highway & Transportation Department, to be payable from the  
23 General Improvement Fund or its successor fund or fund accounts, the  
24 following:

25 (A) For the purchase of replacement vehicles for human service, rural  
26 and urban public transportation providers serving the transportation-dependent  
27 and to meet the requirements of the Americans with Disabilities Act, the sum  
28 of \$3,412,000 per fiscal year.  
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30 SECTION 2. The Arkansas State Highway & Transportation Department shall  
31 be exempt from the provisions of Arkansas Code 19-4-525 for the purposes of  
32 this Act.  
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34 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
35 obligations otherwise incurred in relation to the project or projects  
36 described herein in excess of the State Treasury funds actually available

1 therefor as provided by law. Provided, however, that institutions and  
2 agencies listed herein shall have the authority to accept and use grants and  
3 donations including Federal funds, and to use its unobligated cash income or  
4 funds, or both available to it, for the purpose of supplementing the State  
5 Treasury funds for financing the entire costs of the project or projects  
6 enumerated herein. Provided further, that the appropriations and funds  
7 otherwise provided by the General Assembly for Maintenance and General  
8 Operations of the agency or institutions receiving appropriation herein shall  
9 not be used for any of the purposes as appropriated in this Act.

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

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18 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
19 Assembly that any funds disbursed under the authority of the appropriations  
20 contained in this Act shall be in compliance with the stated reasons for which  
21 this Act was adopted, as evidenced by the Agency Requests, Executive  
22 Recommendations and Legislative Recommendations contained in the budget  
23 manuals prepared by the Department of Finance and Administration, letters, or  
24 summarized oral testimony in the official minutes of the Arkansas Legislative  
25 Council or Joint Budget Committee which relate to its passage and adoption.

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27 SECTION 5. CODE. All provisions of this Act of a general and permanent  
28 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
29 Code Revision Commission shall incorporate the same in the Code.

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31 SECTION 6. SEVERABILITY. If any provision of this Act or the  
32 application thereof to any person or circumstance is held invalid, such  
33 invalidity shall not affect other provisions or applications of the Act which  
34 can be given effect without the invalid provision or application, and to this  
35 end the provisions of this Act are declared to be severable.

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SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-First 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, 1997 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, 1997 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, 1997.

/s/JBC

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