

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: H2/12/99 H2/17/99*

# A Bill

HOUSE BILL 1295

5 By: *Joint Budget Committee*  
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## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE  
10 HIGHWAY AND TRANSPORTATION DEPARTMENT FOR THE PURCHASE  
11 OF REPLACEMENT VEHICLES FOR HUMAN SERVICE, RURAL AND  
12 URBAN PUBLIC TRANSPORTATION PROVIDERS; AND FOR OTHER  
13 PURPOSES. "  
14

### Subtitle

15 "AN ACT FOR THE ARKANSAS STATE HIGHWAY  
16 AND TRANSPORTATION DEPARTMENT - PUBLIC  
17 TRANSPORTATION VEHICLES CAPITAL  
18 IMPROVEMENT APPROPRIATION.  
19  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. APPROPRIATIONS - PUBLIC TRANSPORTATION VEHICLES. There is  
25 hereby appropriated, to the Arkansas State Highway and Transportation  
26 Department, to be payable from the General Improvement Fund or its successor  
27 fund or fund accounts, the following:

28 (A) For the purchase of replacement vehicles for human service, rural and  
29 urban public transportation providers serving the transportation-dependent and  
30 to meet the requirements of the Americans with Disabilities Act for each  
31 fiscal year of the biennial period ending June 30, 2001, the sum of  
32 ..... \$3,412,000.  
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34 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
35 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXEMPTION. The  
36 Arkansas State Highway & Transportation Department shall be exempt from the

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1 provisions of Arkansas Code 19-4-525 for the purposes of this Act.

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3 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

5 CARRYFORWARD PROVISIONS. The unexpended balance of appropriation and funds of  
6 the appropriation made in Section 1 of this Act which remains on June 30, 2000  
7 shall be carried forward and made available for the same purposes for the  
8 fiscal year ending June 30, 2001.

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10 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
11 obligations otherwise incurred in relation to the project or projects  
12 described herein in excess of the State Treasury funds actually available  
13 therefor as provided by law. Provided, however, that institutions and  
14 agencies listed herein shall have the authority to accept and use grants and  
15 donations including Federal funds, and to use its unobligated cash income or  
16 funds, or both available to it, for the purpose of supplementing the State  
17 Treasury funds for financing the entire costs of the project or projects  
18 enumerated herein. Provided further, that the appropriations and funds  
19 otherwise provided by the General Assembly for Maintenance and General  
20 Operations of the agency or institutions receiving appropriation herein shall  
21 not be used for any of the purposes as appropriated in this act.

22 (B) The restrictions of any applicable provisions of the State Purchasing  
23 Law, the General Accounting and Budgetary Procedures Law, the Revenue  
24 Stabilization Law and any other applicable fiscal control laws of this State  
25 and regulations promulgated by the Department of Finance and Administration,  
26 as authorized by law, shall be strictly complied with in disbursement of any  
27 funds provided by this act unless specifically provided otherwise by law.

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

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SECTION 6. CODE. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 7. SEVERABILITY. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the 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 8. GENERAL REPEALER. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second 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, 1999 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, 1999 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, 1999.

*/s/ Joint Budget Committee*