

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.

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007

# A Bill

HOUSE BILL 1348

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR INVESTMENTS,  
10 BENEFITS, REFUNDS AND EXPENSES FOR THE ARKANSAS  
11 STATE HIGHWAY AND TRANSPORTATION DEPARTMENT -  
12 ARKANSAS STATE HIGHWAY EMPLOYEES' RETIREMENT  
13 SYSTEM FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
14 2009; AND FOR OTHER PURPOSES.

## Subtitle

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18 AN ACT FOR THE ARKANSAS STATE HIGHWAY  
19 AND TRANSPORTATION DEPARTMENT - ARKANSAS  
20 STATE HIGHWAY EMPLOYEES' RETIREMENT  
21 SYSTEM APPROPRIATION FOR THE 2007-2009  
22 BIENNIUM.  
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24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. APPROPRIATION. There is hereby appropriated, to the Arkansas  
28 State Highway and Transportation Department, to be payable from the Arkansas  
29 State Highway Employees' Retirement System Fund, for annuities, investments,  
30 benefits, refunds and expenses of the Arkansas State Highway and  
31 Transportation Department - Arkansas State Highway Employees' Retirement  
32 System for the biennial period ending June 30, 2009, the following:  
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ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) GENERAL OPERATIONS - ANNUITIES,		



1 INVESTMENTS, REFUNDS TO WITHDRAWING  
2 MEMBERS & ADMINISTRATIVE EXPENSES \$ 100,000,000 \$ 100,000,000  
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4 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~TRANSFER~~  
6 PROVISIONS CARRY FORWARD - RETIREMENT SYSTEM. Any unexpended balance of the  
7 appropriation made in Section 1 which remains at the close of the fiscal year  
8 ending June 30, ~~2006~~ 2008 shall be ~~transferred~~ carried forward and made  
9 available for the same purpose in the fiscal year ending June 30, ~~2007~~ 2009.

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11 Any carry forward of unexpended balance of appropriation and/or funding as  
12 authorized herein, may be carried forward under the following conditions:  
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14 (1) Prior to June 30, 2008 the Agency shall by written statement set forth  
15 its reason(s) for the need to carry forward said appropriation and/or funding  
16 to the Department of Finance and Administration Office of Budget;  
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18 (2) The Department of Finance and Administration Office of Budget shall  
19 report to the Arkansas Legislative Council all amounts carried forward from  
20 the first fiscal year of the biennium to the second fiscal year of the  
21 biennium by the September Arkansas Legislative Council or Joint Budget  
22 Committee meeting in the second fiscal year of the biennial period which  
23 report shall include the name of the Agency, Board, Commission or Institution  
24 and the amount of the appropriation and/or funding carried forward from the  
25 first fiscal year to the second fiscal year, the program name or line item,  
26 the funding source of that appropriation and a copy of the written request  
27 set forth in (1) above;  
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29 (3) Each Agency, Board, Commission or Institution shall provide a written  
30 report to the Arkansas Legislative Council or Joint Budget Committee  
31 containing all information set forth in item (2) above, along with a written  
32 statement as to the current status of the project, contract, purpose etc. for  
33 which the carry forward was originally requested no later than thirty (30)  
34 days prior to the time the Agency, Board, Commission or Institution presents  
35 its budget request to the Arkansas Legislative Council/Joint Budget  
36 Committee; and

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(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the biennial budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 3. 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 Procurement 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 4. 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 5. EMERGENCY CLAUSE. It is found and determined by the 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, 2007 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, 2007 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, 2007.

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