

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015

A Bill

SENATE BILL 65

4
5 By: Joint Budget Committee

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR ROAD AND BRIDGE
9 REPAIR, MAINTENANCE, GRANTS, OPERATING EXPENSES OF THE
10 NOAA WEATHER WARNING SYSTEM, AND OPERATING AND
11 OTHER EXPENSES OF THE PUBLIC TRANSPORTATION PROGRAM
12 FOR THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION
13 DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND
14 FOR OTHER PURPOSES.

Subtitle

18 AN ACT FOR THE ARKANSAS STATE HIGHWAY
19 AND TRANSPORTATION DEPARTMENT - ROAD
20 AND BRIDGE REPAIR, NOAA WEATHER WARNING
21 SYSTEM, AND THE PUBLIC TRANSPORTATION
22 PROGRAM APPROPRIATION FOR THE 2015-2016
23 FISCAL YEAR.

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

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28 SECTION 1. APPROPRIATION - ROAD AND BRIDGE REPAIR, MAINTENANCE, AND
29 GRANTS. There is hereby appropriated, to the Arkansas State Highway and Transportation Department,
30 to be payable from the Miscellaneous Agencies Fund Account, for road and bridge repair, maintenance,
31 and grants for damages resulting from trucks and other heavy machinery used in the extraction of natural
32 gas, of the Arkansas State Highway and Transportation Department for the fiscal year ending June 30,
33 2016, the following:

34
35 ITEM FISCAL YEAR
36 NO. 2015-2016

1 (01) ROAD AND BRIDGE REPAIR, MAINTENANCE
 2 AND GRANTS TO POLITICAL
 3 SUBDIVISIONS \$5,000,000

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 5 SECTION 2. APPROPRIATION - PUBLIC TRANSPORTATION PROGRAM. There is hereby
 6 appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the
 7 Miscellaneous Agencies Fund Account, for use in the preparation of project applications, program
 8 developments, and as matching monies for the United States Department of Transportation funds and
 9 other federal funds, for capital improvements to, and operating assistance for, the Public Transportation
 10 Programs serving transportation-dependent persons, of the Arkansas State Highway and Transportation
 11 Department for the fiscal year ending June 30, 2016, the following:

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2015-2016</u>
15	(01) HIGHWAY AND TRANSPORTATION DEPARTMENT	
16	FUNDING ASSISTANCE TO RURAL AND	
17	URBAN TRANSPORTATION AGENCIES	
18	FOR PROJECT AND PROGRAM	
19	DEVELOPMENT AND CAPITAL	
20	IMPROVEMENTS TO AND OPERATING	
21	ASSISTANCE FOR THE PUBLIC	
22	TRANSPORTATION PROGRAMS SERVING	
23	THE TRANSPORTATION DEPENDENT	<u>\$350,000</u>

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 25 SECTION 3. APPROPRIATION - NOAA WEATHER WARNING SYSTEM. There is hereby
 26 appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the
 27 Miscellaneous Agencies Fund Account, for operating expenses of the National Oceanic and Atmospheric
 28 Administration Weather Warning Radio System, of the Arkansas State Highway and Transportation
 29 Department for the fiscal year ending June 30, 2016, the following:

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2015-2016</u>
33	(01) NOAA OPERATING EXPENSES	<u>\$4,000</u>

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

1 FUNDS. The Arkansas Highway and Transportation Department shall use the funds appropriated in
 2 Section 1 of this Act exclusively to provide for the maintenance and repair of roads and bridges damaged
 3 by trucks and other heavy equipment used for the purposes of extracting natural gas or other drilling
 4 operations, by granting of funds to counties or cities. These funds shall not be used for regular road or
 5 bridge maintenance or repair nor is there any requirement of the Arkansas Highway and Transportation
 6 Department to ensure that funds are equally distributed by city, county, district, or any other geographical
 7 or political subdivision of this state.

8 The provisions of this section shall be in effect only from July 1, 2015 through June 30, 2016.

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 10 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MAXIMUM
 12 FUNDING ALLOCATION. In no event shall the funding for appropriations made in any fiscal year for the
 13 Arkansas Highway and Transportation Department for road and bridge repair, maintenance, and grants
 14 exceed the maximum amount of general revenue allocated and distributed under Arkansas Code
 15 Annotated 26-58-124 (c)(1) from the previous fiscal year, less six hundred seventy five thousand dollars
 16 (\$675,000).

17 The provisions of this section shall be in effect only from July 1, 2015 through June 30, 2016.

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 19 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 21 FORWARD OF FUNDS. Any unexpended balance of funds remaining in the Miscellaneous Agencies
 22 Fund Account as allocated for the line item appropriation Road and Bridge Repair, Maintenance, and
 23 Grants to Political Subdivisions made in this Act which remains at the end of a fiscal year shall be carried
 24 forward into the next fiscal year and made available for the same purposes.

25 Any carry forward of unexpended balance of funding as authorized herein, may be carried forward under
 26 the following conditions:

27 (1) Prior to June 30, ~~2015~~ 2016 the Agency shall by written statement set forth its reason(s) for the need
 28 to carry forward said funding to the Department of Finance and Administration Office of Budget;

29 (2) The Department of Finance and Administration Office of Budget shall report to the Arkansas
 30 Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint
 31 Budget Committee meeting which report shall include the name of the Agency, Board, Commission or
 32 Institution and the amount of funding carried forward, the program name or line item, the funding source
 33 and a copy of the written request set forth in (1) above;

34 (3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas
 35 Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along
 36 with a written statement as to the current status of the project, contract, purpose etc. for which the carry

1 forward was originally requested no later than thirty (30) days prior to the time the Agency, Board,
2 Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget
3 Committee; and

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

7 The provisions of this section shall be in effect only from July 1, 2015 through June 30, 2016.
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9 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act
10 shall be limited to the appropriation for such agency and funds made available by law for the support of
11 such appropriations; and the restrictions of the State Procurement Law, the General Accounting and
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and
13 Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and
14 regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be
15 strictly complied with in disbursement of said funds.
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17 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds
18 disbursed under the authority of the appropriations contained in this act shall be in compliance with the
19 stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive
20 Recommendations and Legislative Recommendations contained in the budget manuals prepared by the
21 Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of
22 the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.
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24 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that
25 the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year
26 period; that the effectiveness of this Act on July 1, 2015 is essential to the operation of the agency for
27 which the appropriations in this Act are provided, and that in the event of an extension of the legislative
28 session, the delay in the effective date of this Act beyond July 1, 2015 could work irreparable harm upon
29 the proper administration and provision of essential governmental programs. Therefore, an emergency is
30 hereby declared to exist and this Act being necessary for the immediate preservation of the public peace,
31 health and safety shall be in full force and effect from and after July 1, 2015.
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