

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: S3/4/15
A Bill

SENATE BILL 65

5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR ROAD AND BRIDGE
9 REPAIR, MAINTENANCE, GRANTS, OPERATING EXPENSES OF
10 THE 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;
14 AND FOR OTHER PURPOSES.
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17 **Subtitle**

18 AN ACT FOR THE ARKANSAS STATE HIGHWAY AND
19 TRANSPORTATION DEPARTMENT - ROAD AND
20 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
30 Transportation Department, to be payable from the *Road and Bridge Repair,*
31 *Maintenance, and Grants Fund,* for road and bridge repair, maintenance, and
32 grants for damages resulting from trucks and other heavy machinery used in
33 the extraction of natural gas, of the Arkansas State Highway and
34 Transportation Department for the fiscal year ending June 30, 2016, the
35 following:
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| ITEM | FISCAL YEAR |
|---|--------------------|
| <u>NO.</u> | <u>2015-2016</u> |
| (01) ROAD AND BRIDGE REPAIR, MAINTENANCE AND GRANTS TO POLITICAL SUBDIVISIONS | <u>\$5,000,000</u> |

SECTION 2. APPROPRIATION - PUBLIC TRANSPORTATION PROGRAM. There is hereby appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the Miscellaneous Agencies Fund Account, for use in the preparation of project applications, program developments, and as matching monies for the 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, of the Arkansas State Highway and Transportation Department for the fiscal year ending June 30, 2016, the following:

| ITEM | FISCAL YEAR |
|---|------------------|
| <u>NO.</u> | <u>2015-2016</u> |
| (01) HIGHWAY AND TRANSPORTATION DEPARTMENT FUNDING ASSISTANCE TO RURAL AND URBAN TRANSPORTATION AGENCIES FOR PROJECT AND PROGRAM DEVELOPMENT AND CAPITAL IMPROVEMENTS TO AND OPERATING ASSISTANCE FOR THE PUBLIC TRANSPORTATION PROGRAMS SERVING THE TRANSPORTATION DEPENDENT | <u>\$350,000</u> |

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

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

SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF FUNDS. The Arkansas Highway and Transportation Department shall use the funds appropriated in Section 1 of this Act exclusively to provide for the maintenance and repair of roads and bridges damaged by trucks and other heavy equipment used for the purposes of extracting natural gas or other drilling operations, by granting of funds to counties or cities. These funds shall not be used for regular road or bridge maintenance or repair nor is there any requirement of the Arkansas Highway and Transportation Department to ensure that funds are equally distributed by city, county, district, or any other geographical or political subdivision of this state.

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

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

SECTION 6. 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.

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2 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
3 Assembly that any funds disbursed under the authority of the appropriations
4 contained in this act shall be in compliance with the stated reasons for
5 which this act was adopted, as evidenced by the Agency Requests, Executive
6 Recommendations and Legislative Recommendations contained in the budget
7 manuals prepared by the Department of Finance and Administration, letters, or
8 summarized oral testimony in the official minutes of the Arkansas Legislative
9 Council or Joint Budget Committee which relate to its passage and adoption.

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11 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
12 Assembly, that the Constitution of the State of Arkansas prohibits the
13 appropriation of funds for more than a one (1) year period; that the
14 effectiveness of this Act on July 1, 2015 is essential to the operation of
15 the agency for which the appropriations in this Act are provided, and that in
16 the event of an extension of the legislative session, the delay in the
17 effective date of this Act beyond July 1, 2015 could work irreparable harm
18 upon the proper administration and provision of essential governmental
19 programs. Therefore, an emergency is hereby declared to exist and this Act
20 being necessary for the immediate preservation of the public peace, health
21 and safety shall be in full force and effect from and after July 1, 2015.

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23 */s/ Joint Budget Committee*

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26 **APPROVED: 03/23/2015**