

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill

**SENATE BILL**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING AND OTHER  
9 EXPENSES OF THE PUBLIC TRANSPORTATION PROGRAM AND THE NOAA  
10 WEATHER WARNING SYSTEM FOR THE ARKANSAS STATE HIGHWAY &  
11 TRANSPORTATION DEPARTMENT FOR THE BIENNIAL PERIOD ENDING  
12 JUNE 30, 1993; AND FOR OTHER PURPOSES."

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

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16 SECTION 1. APPROPRIATIONS - PUBLIC TRANSPORTATION PROGRAM. There is hereby  
17 appropriated, to the Arkansas State Highway & Transportation Department, to be  
18 payable from the State General Services Fund Account, for use in the  
19 preparation of project applications; program development; and, as matching  
20 monies for the United States Department of Transportation Funds and other  
21 federal funds for capital improvements to and operating assistance for the  
22 public transportation programs serving transportation-dependent persons for  
23 the biennial period ending June 30, 1993, the following:

24 ITEM	FISCAL YEARS	
25 NO.	1991-92	1992-93
26 (1) HIGHWAY & TRANSPORTATION DEPT. FUNDING		
27 ASSISTANCE TO RURAL AND URBAN PUBLIC		
28 TRANSPORTATION AGENCIES FOR PROJECT AND		
29 PROGRAM DEVELOPMENT AND CAPITAL IMPROVEMENTS		
30 TO & OPERATING ASSISTANCE FOR THE PUBLIC		
31 TRANSPORTATION PROGRAMS SERVING THE		
32 TRANSPORTATION-DEPENDENT	<u>\$350,000</u>	<u>\$350,000</u>

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34 SECTION 2. APPROPRIATIONS - NOAA WEATHER WARNING SYSTEM. There is  
35 hereby appropriated, to the Arkansas State Highway & Transportation

1 Department, to be payable from the State General Services Fund Account, for  
2 operating expenses of the National Oceanic and Atmospheric Administration  
3 Weather Warning Radio System of the Arkansas State Highway & Transportation  
4 Department, for the biennial period ending June 30, 1993, the following:

5 <u>ITEM</u>	<u>FISCAL YEARS</u>	
6 NO.	1991-92	1992-93
7 (1) OPERATING EXPENSES	<u>\$6,000</u>	<u>\$6,000</u>

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9 SECTION 3. The funding to be made available for the first \$150,000 of  
10 appropriation provided in Section 1 of this Act shall be limited to those  
11 monies obtained or estimated to be obtained for the fiscal year from the  
12 amount of increase in the minimum tax provided by Ark. Code 26-54-104. This  
13 increase shall be \$6.00 for each corporation which is required to pay the  
14 minimum fee and who pays such fee, or includes the minimum fee as part of the  
15 \$25.00 penalty as set out in Ark. Code 26-54-106.

16 The increases to the Corporate Franchise taxes which were enacted by  
17 the 76th General Assembly will be utilized to fund the remaining \$200,000 of  
18 appropriation.

19

20 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
21 authorized by this Act shall be limited to the appropriation for such agency  
22 and funds made available by law for the support of such appropriations; and  
23 the restrictions of the State Purchasing Law, the General Accounting and  
24 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
25 Procedures and Restrictions Act, or their successors, and other fiscal control  
26 laws of this State, where applicable, and regulations promulgated by the  
27 Department of Finance and Administration, as authorized by law, shall be  
28 strictly complied with in disbursement of said funds.

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30 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General  
31 Assembly that any funds disbursed under the authority of the appropriations  
32 contained in this Act shall be in compliance with the stated reasons for which  
33 this Act was adopted, as evidenced by the Agency Requests, Executive  
34 Recommendations and Legislative Recommendations contained in the budget  
35 manuals prepared by the Department of Finance and Administration, letters, or

1 summarized oral testimony in the official minutes of the Arkansas Legislative  
2 Council or Joint Budget Committee which relate to its passage and adoption.

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

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8 SECTION 7. SEVERABILITY. If any provision of this Act or the  
9 application thereof to any person or circumstance is held invalid, such  
10 invalidity shall not affect other provisions or applications of the Act which  
11 can be given effect without the invalid provision or application, and to this  
12 end the provisions of this Act are declared to be severable.

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14 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict  
15 with this Act are hereby repealed.

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17 SECTION 9. HEALTH PREMIUMS. The Arkansas State Highway &  
18 Transportation Dept. shall not, during the 1992-93 fiscal year, spend more for  
19 health insurance per employee than the amount being contributed to the State  
20 Employees Health Insurance Program.

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22 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
23 Seventy-Eighth General Assembly, that the Constitution of the State of  
24 Arkansas prohibits the appropriation of funds for more than a two (2) year  
25 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
26 operation of the agency for which the appropriations in this Act are provided,  
27 and that in the event of an extension of the Regular Session, the delay in the  
28 effective date of this Act beyond July 1, 1991 could work irreparable harm  
29 upon the proper administration and provision of essential governmental  
30 programs. Therefore, an emergency is hereby declared to exist and this Act  
31 being necessary for the immediate preservation of the public peace, health and  
32 safety shall be in full force and effect from and after July 1, 1991.

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