

State of Arkansas
90th General Assembly
Third Extraordinary Session, 2016

A Bill

Call Item 2
SENATE BILL 12

By: Senators Hickey, B. Sample, Caldwell
By: Representative D. Douglas

For An Act To Be Entitled

AN ACT CONCERNING ARKANSAS HIGHWAYS, ROADS, AND BRIDGES; TO INCREASE FUNDING FOR ARKANSAS HIGHWAYS, ROADS, AND BRIDGES; TO REQUIRE REPORTING BY THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO INCREASE FUNDING FOR ARKANSAS HIGHWAYS, ROADS, AND BRIDGES; TO REQUIRE REPORTING BY THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. The Chief Fiscal Officer of the State shall make a one-time transfer on his or her books and those of the Treasurer of State and the Auditor of State of the sum of forty million dollars (\$40,000,000) from the funds available in the Rainy Day Set-Aside of the 90th Session Projects Account of the General Improvement Fund as authorized by Acts 2015, No. 1147, § 3(a)(11), to the State Highway and Transportation Department Fund.

SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY. Before crediting the interest income earnings as required under Arkansas Code § 19-5-501(a)(2), the Treasurer of State shall make a one-time transfer of one million five



hundred thousand dollars (\$1,500,000) to the State Highway and Transportation Department Fund, to be transferred only in fiscal year 2017.

SECTION 3. TEMPORARY LANGUAGE. DO NOT CODIFY. For fiscal year 2017, the sales and use taxes levied under Arkansas Constitution, Amendment 91, § 3, are not subject to deduction, transfer, or distribution to the Constitutional Officers Fund or the State Central Services Fund under Arkansas Code §§ 19-5-202, 19-5-203, and 19-5-205.

SECTION 4. TEMPORARY LANGUAGE. DO NOT CODIFY. (a) Every other month, the Arkansas State Highway and Transportation Department shall report the department's activities to the joint meetings of the Senate Committee on Public Transportation, Technology, and Legislative Affairs and the House Committee on Public Transportation.

(b) The Senate Committee on Public Transportation, Technology, and Legislative Affairs and the House Committee on Public Transportation shall meet every other month when the General Assembly is not in session to review the activities of the department.

(c) This section expires June 30, 2017.

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that Arkansas highways, roads, and bridges are in need of repair and proper maintenance; that the repair and proper maintenance of Arkansas highways, roads, and bridges are necessary for the preservation of the public peace, health, and safety; that increased funding is essential to the immediate repair and proper maintenance of Arkansas highways, roads, and bridges; that it is essential that this act be given effect on July 1, 2016, to coincide with the beginning of a new fiscal year; that under the Constitution of Arkansas, acts without an emergency clause do not take effect until ninety (90) days after sine die adjournment of the General Assembly; that unless an emergency is declared, extension of the 2016 Third Extraordinary Session of the General Assembly will result in a delay in the effective date of this act beyond July 1 and would work irreparable harm; and this act is necessary because without the increased funding provided by this act, the repair and proper maintenance of Arkansas highways, roads, and bridges may not be performed. Therefore, an emergency is declared to exist,

and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2016.