

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995

# A Bill

HOUSE BILL 1682

4 By: *Joint Budget Committee*

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## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS  
9 INDUSTRIAL DEVELOPMENT COMMISSION FOR FINANCING AN  
10 INDUSTRIAL ACCESS PROGRAM; AND FOR OTHER PURPOSES."

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## Subtitle

13 "AN ACT FOR THE ARKANSAS INDUSTRIAL  
14 DEVELOPMENT COMMISSION CAPITAL  
15 IMPROVEMENT APPROPRIATION."

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

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SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the  
Arkansas Industrial Development Commission, to be payable from the General  
Improvement Fund or its successor fund or fund accounts, the following:

22 (A) For partially defraying the costs of providing access to publicly  
23 owned industrial parks, the sum of ..... \$5,000,000.  
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25 SECTION 2. The funds appropriated in Section 1 of this act may be used  
26 for the following purposes:

27 (a) To supplement other monies available to counties and cities in  
28 order to provide up to seventy-five percent (75%) of the matching funds  
29 required by the Arkansas Highway and Transportation Department for roads to  
30 industrial sites; and

31 (b) to provide up to seventy-five percent (75%) of the cost of  
32 transportation access costs to publicly owned industrial parks which are not  
33 under the existing program of the Arkansas Highway and Transportation  
34 Department. The remaining twenty-five percent (25%) of the costs of the  
35 project may be cash or in-kind from the local government as directed by the

1 Commission.

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3           SECTION 3. INDUSTRIAL ACCESS PROGRAM. The Arkansas Industrial  
4 Development Commission (Commission) is authorized to investigate and study  
5 the necessity and desirability of constructing or reconstructing any  
6 transportation access to an industrial site located in a publicly owned  
7 industrial park. Based upon such study, the Commission may enter into  
8 agreements with the Arkansas Highway and Transportation Department  
9 (Department) or other governmental entities for the construction or  
10 reconstruction of transportation accesses to industrial sites. Such  
11 agreements may include provisions for preliminary engineering by the  
12 Department and the letting of bids for such projects.

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14           SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
15 obligations otherwise incurred in relation to the project or projects  
16 described herein in excess of the State Treasury funds actually available  
17 therefor as provided by law. Provided, however, that institutions and  
18 agencies listed herein shall have the authority to accept and use grants and  
19 donations including Federal funds, and to use its unobligated cash income or  
20 funds, or both available to it, for the purpose of supplementing the State  
21 Treasury funds for financing the entire costs of the project or projects  
22 enumerated herein. Provided further, that the appropriations and funds  
23 otherwise provided by the General Assembly for Maintenance and General  
24 Operations of the agency or institutions receiving appropriation herein shall  
25 not be used for any of the purposes as appropriated in this Act.

26           (B) The restrictions of any applicable provisions of the State  
27 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
28 Revenue Stabilization Law and any other applicable fiscal control laws of  
29 this State and regulations promulgated by the Department of Finance and  
30 Administration, as authorized by law, shall be strictly complied with in  
31 disbursement of any funds provided by this Act unless specifically provided  
32 otherwise by law.

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34           SECTION 5. LEGISLATIVE INTENT. It is the intent of the General  
35 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this Act shall be in compliance with the stated reasons for  
2 which this Act was adopted, as evidenced by the Agency Requests, Executive  
3 Recommendations and Legislative Recommendations contained in the budget  
4 manuals prepared by the Department of Finance and Administration, letters, or  
5 summarized oral testimony in the official minutes of the Arkansas Legislative  
6 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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21       SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
22 Eightieth General Assembly, that the Constitution of the State of Arkansas  
23 prohibits the appropriation of funds for more than a two (2) year period;  
24 that the effectiveness of this Act on July 1, 1995 is essential to the  
25 operation of the agency for which the appropriations in this Act are  
26 provided, and that in the event of an extension of the Regular Session, the  
27 delay in the effective date of this Act beyond July 1, 1995 could work  
28 irreparable harm upon the proper administration and provision of essential  
29 governmental programs. Therefore, an emergency is hereby declared to exist  
30 and this Act being necessary for the immediate preservation of the public  
31 peace, health and safety shall be in full force and effect from and after  
32 July 1, 1995.

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*/s/Rep. E. Thicksten*

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*As Engrossed: 2/17/95*

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