

Act 237 of the First Special Session of 1989.

Act 237

HB1087

By:Joint Budget Committee

For An Act To Be Entitled
"AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS INDUSTRIAL
DEVELOPMENT COMMISSION FOR PROVIDING GRANTS TO ENTITIES OF
GOVERNMENT FOR PUBLIC FACILITIES AND SPECIAL JOB TRAINING
NECESSARY TO SUPPORT ECONOMIC DEVELOPMENT: AND FOR OTHER
PURPOSES."

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

SECTION 1. APPROPRIATIONS - GENERAL IMPROVEMENT. 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:

(A) For the purpose of providing grants to cities and counties to provide financial assistance necessary to undertake public works projects or job training which support private sector job creation opportunities or alleviate conditions which constitute a threat to public health, the sum of\$10,000,000.

SECTION 2. Funds appropriated under Section 1 of this Act may be utilized for construction, reconstruction, demolition, site development, contracts and related costs associated with the creation, expansion, and rehabilitation of water or sewer systems, streets and roads, bridges, drainage, and other vital public facilities, or the provision of job training.

SECTION 3. It is herein provided that \$2,000,000 of the funds appropriated in Section 1 of this Act are hereby designated for the following targeted counties participating in the Rural Development Action Program: Chicot, Desha, Hot Spring, Jackson, Lafayette, Lee, Monroe, Phillips, St. Francis, Sharp and Woodruff, or any other county designated by the Governor during the 1989-91 biennium as a participant in the Governor's Rural Development Action Program. If in the event said funds are not utilized in these targeted counties, said funds may be used during the last six months of the 1989-91 biennium for the purposes stated in Section 2 of this Act in other Arkansas counties.

SECTION 4. In the event all available funds are exhausted in the Industry Training Program administered by the Vocational Education Division, it is herein provided that the Arkansas Industrial Development Commission may, after receiving approval of the Governor and of the Chief Fiscal Officer of the State, transfer an amount not to exceed \$750,000 from the General Improvement Fund or its successor fund or fund accounts to the Education - Vocational Technical School Fund Account for use in training and assisting industry location in Arkansas.

SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded or obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that the Institutions and Agencies listed herein shall have the authority to accept and use grants and

donations including Federal funds, and to use its unobligated cash income, and/or funds available to it, for the purpose of supplementing the said State Treasury funds for financing the entire costs of said project or projects. Provided further, that the appropriations and funds otherwise provided by the General Assembly for maintenance and general operation of the said Institutions and Agencies shall not be used for any of the purposes set out in this Act.

(B) The General Accounting Procedures Law, the State Purchasing Law, the Revenue Stabilization Law, and other applicable fiscal laws of the State, or their successors, shall be strictly complied with, with respect to use of any funds provided by this Act.

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

SECTION 7. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code. Act 776 of 1989 is hereby repealed.

SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989.

APPROVED: June 23, 1989
