

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

# A Bill

**SENATE BILL 655**

## **For An Act To Be Entitled**

8 "AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS  
9 INDUSTRIAL DEVELOPMENT COMMISSION FOR THE ECONOMIC  
10 INFRASTRUCTURE FUND; AND FOR OTHER PURPOSES."

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

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

17 (A) *For the purpose of providing grants to cities and counties to*  
18 *provide financial assistance necessary to undertake public works projects or*  
19 *job training which support private sector job creation opportunities or*  
20 *alleviate conditions which constitute a threat to public health, the sum*  
21 *of . . . . . \$20,000,000.*

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

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29 SECTION 3. *Funds appropriated in Section 1 of this Act may be utilized*  
30 *to provide training or retraining of the workforce to new or existing*  
31 *industry. Use of the funds shall be limited to training where no other*  
32 *existing education or training program is capable to meet the specific*  
33 *training needs. The public purpose must be certified by the Chief Fiscal*  
34 *Officer of the State.*

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1           SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
2 obligations otherwise incurred in relation to the project or projects  
3 described herein in excess of the State Treasury funds actually available  
4 therefor as provided by law. Provided, however, that institutions and  
5 agencies listed herein shall have the authority to accept and use grants and  
6 donations including Federal funds, and to use its unobligated cash income or  
7 funds, or both available to it, for the purpose of supplementing the State  
8 Treasury funds for financing the entire costs of the project or projects  
9 enumerated herein. Provided further, that the appropriations and funds  
10 otherwise provided by the General Assembly for Maintenance and General  
11 Operations of the agency or institutions receiving appropriation herein shall  
12 not be used for any of the purposes as appropriated in this Act.

13           (B) The restrictions of any applicable provisions of the State  
14 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
15 Revenue Stabilization Law and any other applicable fiscal control laws of this  
16 State and regulations promulgated by the Department of Finance and  
17 Administration, as authorized by law, shall be strictly complied with in  
18 disbursement of any funds provided by this Act unless specifically provided  
19 otherwise by law.

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21           SECTION 5. LEGISLATIVE INTENT. It is the intent of the General  
22 Assembly that any funds disbursed under the authority of the appropriations  
23 contained in this Act shall be in compliance with the stated reasons for which  
24 this Act was adopted, as evidenced by the Agency Requests, Executive  
25 Recommendations and Legislative Recommendations contained in the budget  
26 manuals prepared by the Department of Finance and Administration, letters, or  
27 summarized oral testimony in the official minutes of the Arkansas Legislative  
28 Council or Joint Budget Committee which relate to its passage and adoption.

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

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34           SECTION 7. SEVERABILITY. If any provision of this Act or the  
35 application thereof to any person or circumstance is held invalid, such  
36 invalidity shall not affect other provisions or applications of the Act which

1 can be given effect without the invalid provision or application, and to this  
2 end the provisions of this Act are declared to be severable.

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

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7 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
8 Seventy-Eighth General Assembly, that the Constitution of the State of  
9 Arkansas prohibits the appropriation of funds for more than a two (2) year  
10 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
11 operation of the agency for which the appropriations in this Act are provided,  
12 and that in the event of an extension of the Regular Session, the delay in the  
13 effective date of this Act beyond July 1, 1991 could work irreparable harm  
14 upon the proper administration and provision of essential governmental  
15 programs. Therefore, an emergency is hereby declared to exist and this Act  
16 being necessary for the immediate preservation of the public peace, health and  
17 safety shall be in full force and effect from and after July 1, 1991.

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*/s/Russ*

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