

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: *Joint Budget Committee***

A Bill

ACT 418 OF 1995
HOUSE BILL 1682

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."

Subtitle

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

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

19 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
20 Arkansas Industrial Development Commission, to be payable from the General
21 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.

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 order
28 to provide up to seventy-five percent (75%) of the matching funds required by
29 the Arkansas Highway and Transportation Department for roads to industrial
30 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
36 Commission.

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

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

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

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33 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
34 Assembly that any funds disbursed under the authority of the appropriations
35 contained in this Act shall be in compliance with the stated reasons for which

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

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

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

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

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

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/s/Rep. E. Thicksten

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APPROVED: 2-23-95

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As Engrossed: 2/17/95

HB 1682

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