

**Stricken language would be deleted from and underlined language would be added to the law as it existed  
prior to this session of the General Assembly.  
Act 1487 of the Regular Session**

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

SENATE BILL 454

5 By: Senator Broadway  
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## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
10 OF ECONOMIC DEVELOPMENT FOR FINANCING AN  
11 INDUSTRIAL ACCESS PROGRAM; AND FOR OTHER  
12 PURPOSES.  
13  
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## Subtitle

15 AN ACT FOR THE DEPARTMENT OF ECONOMIC  
16 DEVELOPMENT - FINANCING AN INDUSTRIAL  
17 ACCESS PROGRAM GENERAL IMPROVEMENT  
18 APPROPRIATION.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. APPROPRIATIONS - INDUSTRIAL ACCESS PROGRAM. There is hereby  
25 appropriated, to the Department of Economic Development, to be payable from  
26 the General Improvement Fund or its successor fund or fund accounts, the  
27 following:

28 (A) For partially defraying the costs of providing access to publicly  
29 owned industrial parks, the sum of .....\$5,000,000.  
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31 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
32 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MATCHING FUNDS.  
33 The funds appropriated in Section 1 of this act may be used for the following  
34 purposes:

35 (a) To supplement other monies available to counties and cities in order



1 to provide up to seventy-five (75%) of the matching funds required by the  
2 Arkansas Highway and Transportation Department for roads to industrial sites;  
3 and

4 (b) to provide up to seventy-five percent (75%) of the cost of  
5 transportation access costs to publicly owned industrial parks which are not  
6 under the existing program of the Arkansas Highway and Transportation  
7 Department. The remaining twenty-five (25%) of the costs of the project may  
8 be cash or in-kind from the local government as directed by the Department of  
9 Economic Development.

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11 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
12 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDUSTRIAL  
13 ACCESS PROGRAM. The Department of Economic Development is authorized to  
14 investigate and study the necessity and desirability of constructing or  
15 reconstructing any transportation access to an industrial site located in a  
16 publicly owned industrial park. Based upon such study, the Department of  
17 Economic Development may enter into agreements with the Arkansas Highway and  
18 Transportation Department or other governmental entities for the construction  
19 or reconstruction of transportation accesses to industrial sites. Such  
20 agreements may include provisions for preliminary engineering by the Arkansas  
21 Highway and Transportation Department and letting the bids for such projects.

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

35 (B) The restrictions of any applicable provisions of the State Purchasing  
36 Law, the General Accounting and Budgetary Procedures Law, the Revenue

1 Stabilization Law and any other applicable fiscal control laws of this State  
2 and regulations promulgated by the Department of Finance and Administration,  
3 as authorized by law, shall be strictly complied with in disbursement of any  
4 funds provided by this act unless specifically provided otherwise by law.

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6 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly  
7 that any funds disbursed under the authority of the appropriations contained  
8 in this act shall be in compliance with the stated reasons for which this act  
9 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
10 and Legislative Recommendations contained in the budget manuals prepared by  
11 the Department of Finance and Administration, letters, or summarized oral  
12 testimony in the official minutes of the Arkansas Legislative Council or  
13 Joint Budget Committee which relate to its passage and adoption.

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15 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
16 Assembly, that the Constitution of the State of Arkansas prohibits the  
17 appropriation of funds for more than a two (2) year period; that the  
18 effectiveness of this Act on July 1, 2007 is essential to the operation of  
19 the agency for which the appropriations in this Act are provided, and that in  
20 the event of an extension of the Regular Session, the delay in the effective  
21 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
22 proper administration and provision of essential governmental programs.  
23 Therefore, an emergency is hereby declared to exist and this Act being  
24 necessary for the immediate preservation of the public peace, health and  
25 safety shall be in full force and effect from and after July 1, 2007.

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28 APPROVED: 4/5/2007  
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