

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.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4
5 By: Senator Broadway
6
7

A Bill

SENATE BILL 454

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.

Subtitle

16 AN ACT FOR THE DEPARTMENT OF ECONOMIC
17 DEVELOPMENT - FINANCING AN INDUSTRIAL
18 ACCESS PROGRAM GENERAL IMPROVEMENT
19 APPROPRIATION.
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

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.
30

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
36 to provide up to seventy-five (75%) of the matching funds required by the



1 Arkansas Highway and Transportation Department for roads to industrial sites;
2 and

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

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

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

34 (B) The restrictions of any applicable provisions of the State Purchasing
35 Law, the General Accounting and Budgetary Procedures Law, the Revenue
36 Stabilization Law and any other applicable fiscal control laws of this State

1 and regulations promulgated by the Department of Finance and Administration,
2 as authorized by law, shall be strictly complied with in disbursement of any
3 funds provided by this act unless specifically provided otherwise by law.

4
5 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
6 that any funds disbursed under the authority of the appropriations contained
7 in this act shall be in compliance with the stated reasons for which this act
8 was adopted, as evidenced by the Agency Requests, Executive Recommendations
9 and Legislative Recommendations contained in the budget manuals prepared by
10 the Department of Finance and Administration, letters, or summarized oral
11 testimony in the official minutes of the Arkansas Legislative Council or
12 Joint Budget Committee which relate to its passage and adoption.

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