

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1488

4
5 By: Joint Budget Committee

For An Act To Be Entitled

9 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS INDUSTRIAL
11 DEVELOPMENT COMMISSION; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE ARKANSAS INDUSTRIAL
15 DEVELOPMENT COMMISSION REAPPROPRIATION."

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

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19 SECTION 1. REAPPROPRIATION. There is hereby appropriated, to the
20 Arkansas Industrial Development Commission, to be payable from the Economic
21 Development Incentive Fund for the Arkansas Industrial Development Commission,
22 the following:

23 (A) Effective July 1, 1997, the balance of the appropriation provided
24 in Section 1 of Act 1081 of 1995, for providing financial incentives to
25 companies locating a new or expanded facility in Arkansas, in a sum not to
26 exceed \$9,697,142.

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28 SECTION 2. REAPPROPRIATION. There is hereby appropriated, to the
29 Arkansas Industrial Development Commission, to be payable from the General
30 Improvement Fund or its successor fund or fund accounts, for the Arkansas
31 Industrial Development Commission, the following:

32 (A) Effective July 1, 1997, the balance of the appropriation provided
33 in Item (A) of Section 1 of Act 1039 of 1995, for providing grants to cities
34 and counties to provide financial assistance necessary to undertake public
35 works projects or job training, which support private sector job creation
36 opportunities or alleviate conditions which constitute a threat to public

1 health, in a sum not to exceed \$2,125,841.

2 (B) Effective July 1, 1997, the balance of the appropriation provided
3 in Item (A) of Section 1 of Act 418 of 1995, for partially defraying the costs
4 of providing access to publicly owned industrial parks, in a sum not to exceed
5 \$2,500,000.

6 (C) Effective July 1, 1997, the balance of the appropriation provided
7 in Item (A) of Section 2 of Act 1073 of 1995, for the purpose of providing
8 incentives for companies located in Arkansas to upgrade the skills of their
9 existing workforce and to build capacity within our state supported
10 institutions to supply the on-going training needs of Arkansas companies and
11 to increase participation in the state's school-to-work initiatives, in a sum
12 not to exceed \$3,482,814.

13 (D) Effective July 1, 1997, the balance of the appropriation provided in
14 Item (A) of Section 1 of Act 871 of 1995, for the purpose of providing grants
15 to cities and counties to provide financial assistance necessary to undertake
16 public works projects or job training which support private sector job
17 creation opportunities or alleviate conditions which constitute a threat to
18 public health, in a sum not to exceed \$10,370,091.

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20 SECTION 3. SPECIAL LANGUAGE. The funds appropriated in Item (B) of
21 Section 2 of this act may be used for the following purposes:

22 (a) To supplement other monies available to counties and cities in order
23 to provide up to seventy-five percent (75%) of the matching funds required by
24 the Arkansas Highway and Transportation Department for roads to industrial
25 sites; and

26 (b) to provide up to seventy-five percent (75%) of the cost of
27 transportation access costs to publicly owned industrial parks which are not
28 under the existing program of the Arkansas Highway and Transportation
29 Department. The remaining twenty-five percent (25%) of the costs of the
30 project may be cash or in-kind from the local government as directed by the
31 Commission.

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33 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
34 obligations otherwise incurred in relation to the project or projects
35 described herein in excess of the State Treasury funds actually available

1 therefor as provided by law. Provided, however, that institutions and
2 agencies listed herein shall have the authority to accept and use grants and
3 donations including Federal funds, and to use its unobligated cash income or
4 funds, or both available to it, for the purpose of supplementing the State
5 Treasury funds for financing the entire costs of the project or projects
6 enumerated herein. Provided further, that the appropriations and funds
7 otherwise provided by the General Assembly for Maintenance and General
8 Operations of the agency or institutions receiving appropriation herein shall
9 not be used for any of the purposes as appropriated in this Act.

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

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

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

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32 SECTION 7. SEVERABILITY. If any provision of this Act or the
33 application thereof to any person or circumstance is held invalid, such
34 invalidity shall not affect other provisions or applications of the Act which
35 can be given effect without the invalid provision or application, and to this

1 end the provisions of this Act are declared to be severable.

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

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6 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
7 Eighty-First General Assembly, that the Constitution of the State of Arkansas
8 prohibits the appropriation of funds for more than a two (2) year period; that
9 previous General Assemblies have provided appropriations for the projects
10 provided or enumerated in this act; that certain appropriations will expire
11 before the adjournment of the General Assembly; and that if such
12 appropriations expire, the projects and programs authorized herein will cease
13 thereby depriving the citizens of the State of the benefits to be derived from
14 such projects. Therefore, an emergency is hereby declared to exist and this
15 Act being necessary for the immediate preservation of the public peace, health
16 and safety shall be in full force and effect from and after the date of its
17 passage and approval.

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