

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 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: H2/16/01*  
**A Bill**

HOUSE BILL 1628

5 By: *Joint Budget Committee*  
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**For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE  
10 HIGHWAY AND TRANSPORTATION DEPARTMENT FOR IMPROVEMENTS  
11 TO THE RAIL FROM THE UNION PACIFIC MAIN LINE TO CIBA  
12 SPECIALTY CHEMICAL CORP. IN WEST MEMPHIS, ARKANSAS;  
13 AND FOR OTHER PURPOSES.  
14

**Subtitle**

15 AN ACT FOR THE ARKANSAS STATE HIGHWAY  
16 AND TRANSPORTATION DEPARTMENT -  
17 IMPROVEMENTS TO RAIL IN WEST MEMPHIS,  
18 ARKANSAS CAPITAL IMPROVEMENT  
19 APPROPRIATION.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. APPROPRIATIONS - IMPROVEMENTS TO RAIL IN WEST MEMPHIS, ARKANSAS.  
27 There is hereby appropriated, to the Arkansas State Highway and Transportation  
28 Department, to be payable from the General Improvement Fund or its successor  
29 fund or fund accounts, the following:

30 (A) For improvements to the rail running from the Union Pacific main line  
31 to the gate of Ciba Specialty Chemical Corporation in West Memphis, Arkansas,  
32 the sum of ..... \$500,000.  
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34 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
35 obligations otherwise incurred in relation to the project or projects  
36 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) The restrictions of any applicable provisions of the State Purchasing  
11 Law, the General Accounting and Budgetary Procedures Law, the Revenue  
12 Stabilization Law and any other applicable fiscal control laws of this State  
13 and regulations promulgated by the Department of Finance and Administration,  
14 as authorized by law, shall be strictly complied with in disbursement of any  
15 funds provided by this act unless specifically provided otherwise by law.

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17 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General Assembly  
18 that any funds disbursed under the authority of the appropriations contained  
19 in this act shall be in compliance with the stated reasons for which this act  
20 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
21 and Legislative Recommendations contained in the budget manuals prepared by  
22 the Department of Finance and Administration, letters, or summarized oral  
23 testimony in the official minutes of the Arkansas Legislative Council or Joint  
24 Budget Committee which relate to its passage and adoption.

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26 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
27 Assembly, that the Constitution of the State of Arkansas prohibits the  
28 appropriation of funds for more than a two (2) year period; that the  
29 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
30 agency for which the appropriations in this Act are provided, and that in the  
31 event of an extension of the Regular Session, the delay in the effective date  
32 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
33 administration and provision of essential governmental programs. Therefore, an  
34 emergency is hereby declared to exist and this Act being necessary for the  
35 immediate preservation of the public peace, health and safety shall be in full  
36 force and effect from and after July 1, 2001.

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*/s/ Joint Budget Committee*