

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

A Bill

HOUSE BILL 2386

5 By: Representative Reep
6
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For An Act To Be Entitled

9 AN ACT TO AMEND PROCEDURES OF THE ARKANSAS
10 HIGHWAY AND TRANSPORTATION DEPARTMENT TO PERMIT
11 THE DISPOSAL OF SURPLUS RAILROAD TRACK AND
12 MATERIAL BY DONATION; AND FOR OTHER PURPOSES.
13

Subtitle

15 AN ACT TO AMEND THE PROCEDURES OF THE
16 ARKANSAS HIGHWAY AND TRANSPORTATION
17 DEPARTMENT TO PERMIT THE DISPOSAL OF
18 SURPLUS RAILROAD TRACK AND MATERIAL BY
19 DONATION.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 27-67-322, regarding the reacquisition of
25 surplus property by a former owner, is amended to add an additional
26 subsection to read as follows:

27 (f)(1) The disposition of surplus rail and other railroad track
28 material purchased in part with Federal Transportation Enhancement Funds and
29 granted to the Arkansas State Parks, Recreation, and Travel Commission or the
30 Department of Parks and Tourism or both by the State Highway Commission shall
31 not be subject to the procedures set forth above.

32 (2) Rail and other track material described under this
33 subsection may be disposed of by gift or contract to a regional intermodal
34 facilities authority, a metropolitan port authority, or a planning and
35 development district.

36 (3) The purposes of this section shall be deemed to be satisfied



1 upon:

2 (A) The adoption of a resolution by the State Highway
3 Commission that such transfer will promote the continuation of rail service,
4 economic development, or industrial growth; and

5 (B) A transfer document executed by the Arkansas State
6 Parks, Recreation, and Travel Commission or the Department of Parks and
7 Tourism or both.

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9 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
10 General Assembly of the State of Arkansas that economic development,
11 industrial growth and the continuation of rail service must be promoted in
12 economically distressed areas of the state by establishing procedures
13 pursuant to which the State Highway Commission can approve the transfer, by
14 gift or contract, to a regional intermodal facilities authority, a
15 metropolitan port authority, or a planning and development district, or
16 surplus rail and other track material purchased by the Arkansas State Parks,
17 Recreation, and Travel Commission or the Department of Parks and Tourism or
18 both partly through the use of federal Transportation Enhancement Funds
19 granted by the State Highway Commission; and this act is necessary to
20 accomplish these essential goals. Therefore, an emergency is declared to
21 exist and this act being immediately necessary for the preservation of the
22 public peace, health, and safety shall become effective on:

23 (1) The date of its approval by the Governor;

24 (2) If the bill is neither approved nor vetoed by the Governor,
25 the expiration of the period of time during which the Governor may veto the
26 bill; or

27 (3) If the bill is vetoed by the Governor and the veto is
28 overridden, the date the last house overrides the veto.

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