

State of Arkansas

77th General Assembly

Regular Session, 1989

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By: Senators Kinard, Dowd, Moore, Scott, and Gibson

"AN ACT TO PROVIDE FOR AN INTERSTATE COMPACT TO PROMOTE THE
FOUR LANING OF U.S. HIGHWAY 82 WITHIN THE PARTY STATES; AND
FOR OTHER PURPOSES."

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

SECTION 1. The Governor, on behalf of this state, is hereby authorized to execute a compact, in substantially the following form, with the state of Mississippi and the state of Alabama; and the General Assembly hereby signifies in advance its approval and ratification of such compact, which compact is as follows:

U.S. HIGHWAY 82 FOUR LANE CONSTRUCTION COMPACT

ARTICLE I. The purpose of this compact is to promote and ensure the four laning of U.S. Highway 82 within the party states and to establish a joint interstate authority to assist that effort.

ARTICLE II. This compact shall become effective immediately as to the states ratifying it whenever the state of Arkansas and either the state of Mississippi or the state of Alabama have ratified it and Congress has given consent thereto.

ARTICLE III. The states which are parties to this compact (referred to as "party states") do hereby establish and create a joint agency which shall be known as the U.S. Highway 82 Four Lane Construction Authority (hereinafter referred to as "the authority"). The membership of such authority shall consist of one (1) representative named by the highway department of each party state and three (3) other citizens of each party state to be selected in the manner provided by laws enacted by the party states. The members of the authority shall not be compensated for service on the authority, but each of the members shall be entitled to actual and reasonable expenses incurred in attending meetings, or incurred otherwise in the performance of his duties as

a member of the authority. The members of the authority shall hold regular repeal or prevent legislation, or to authorize or permit curtailment or diminution of any other highway construction project, or to affect any existing or future cooperative arrangement or relationship between any federal agency and a party state.

ARTICLE VII. This compact shall continue in force and remain binding upon each party state until the legislature or Governor of each or either state takes action to withdraw therefrom; provided that such withdrawal shall not become effective until six (6) months after the date of the action taken by the legislature or the Governor. Notice of such action shall be given to the other party state or states by the party state which takes such action.

SECTION 2. There is hereby granted to the Governor and to the members of the authority for Arkansas all the powers provided for in the compact. All officers of the state of Arkansas are hereby authorized and directed to do all things falling within their respective jurisdictions which are necessary or incidental to carrying out the purpose of the compact.

SECTION 3. The three (3) citizens of the state of Arkansas who are members of the U. S. Highway 82 Four Lane Construction Authority shall be appointed by the Governor as follows: one (1) shall be appointed from a county which is traversed by U.S. Highway 82 and which borders the state of Mississippi, one (1) from a county which is traversed by U.S. Highway 82 and which borders the state of Texas, and one (1) shall be appointed from a county which is traversed by U.S. Highway 82 and which is located in the southcentral portion of the state. Such members shall serve for terms of four (4) years each. Vacancies shall be filled by the Governor for the unexpired terms.

SECTION 4. The authority shall have the power to apply to the Congress of the United States for its consent and approval of the compact; but, in the absence of the consent of Congress and until such consent is secured, the compact shall be binding upon the state of Arkansas in all respects permitted by law for the party states, without the consent of Congress, to cooperate for the purpose enumerated in the compact and in the manner provided therein.

SECTION 5. All provisions of this Act of a general and permanent nature

are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code