

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

HOUSE BILL 1019

5 By: Joint Budget Committee
6

For An Act To Be Entitled

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

Subtitle

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13 AN ACT FOR THE ECONOMIC DEVELOPMENT
14 COMMISSION REAPPROPRIATION.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. REAPPROPRIATION - BOND PROCEEDS. There is hereby
21 appropriated, to the Economic Development Commission, to be payable from Bond
22 Proceeds, for the Economic Development Commission the following:

23 (A) Effective July 1, 2012, the balance of the appropriation provided
24 in Item (A) Section 9 of Act 544 of 2011, for economic development projects
25 authorized under Amendment 82 to the Constitution of the State of Arkansas of
26 1874, in a sum not to exceed.....\$225,000,000.
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28 SECTION 2. REAPPROPRIATION - CASH FUNDS. There is hereby appropriated,
29 to the Economic Development Commission, to be payable from the cash funds as
30 defined by Arkansas Code 19-4-801, for the Economic Development Commission
31 the following:

32 (A) Effective July 1, 2012, the balance of the appropriation provided
33 in Item (A) Section 2 of Act 436 of 2011, for grants for land acquisition,
34 improvements, construction, renovation, major maintenance, and purchase of
35 equipment for compressed natural gas demonstration stations, in a sum not to
36 exceed.....\$1,000,000.



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SECTION 3. REAPPROPRIATION - FEDERAL FUNDS. There is hereby appropriated, to the Economic Development Commission, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for the Economic Development Commission the following:

(A) Effective July 1, 2012, the balance of the appropriation provided in Item (A) Section 4 of Act 52 of 2011, for grants for construction, operating expenses, personal services and equipment for railroad reclamation, in a sum not to exceed.....\$1,000,000.

SECTION 4. REAPPROPRIATION - GENERAL IMPROVEMENT FUNDS. There is hereby appropriated, to the Economic Development Commission, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Economic Development Commission the following:

(A) Effective July 1, 2012, the balance of the appropriation provided in Item (C) Section 1 of Act 52 of 2011, for the promotion of the movie/film office for the production of full length movies in the State of Arkansas, in a sum not to exceed.....\$8,683.

(B) Effective July 1, 2012, the balance of the appropriation provided in Item (B) Section 1 of Act 52 of 2011, for providing funding for grants to cities and counties to provide financial assistance necessary to undertake public works projects and/or job training efforts which support private sector job creation opportunities, alleviate conditions which constitute a threat to public health and well being, or partially defray the costs of providing access to publicly owned industrial parks; and for grants and/or loans for the expansion of the aircraft and aerospace industry; and for grants and/or loans for port and waterway economic development projects; and for grants and/or loans to support technology based economic development projects, in a sum not to exceed.....\$2,025,490.

(C) Effective July 1, 2012, the balance of the appropriation provided in Item (N) Section 1 of Act 52 of 2011, for providing funding for grants to cities and counties to provide financial assistance necessary to undertake public works projects and/or job training efforts which support private sector job creation opportunities, alleviate conditions which constitute a threat to public health and well-being, or partially defray the costs of providing access to publicly owned industrial parks; and for grants and/or

1 loans for the expansion of the aircraft and aerospace industry; and for
2 grants and/or loans to support technology based economic development
3 projects, in a sum not to exceed.....\$2,727,840.

4 (D) Effective July 1, 2012, the balance of the appropriation provided
5 in Item (P) Section 1 of Act 52 of 2011, for providing funding and
6 appropriation for an investment in Arkansas' workforce through training
7 incentives for companies located in Arkansas to upgrade skills of their
8 existing workforce, or for a potential new workforce, and to build capacity
9 within Arkansas to supply on-going training needs of Arkansas companies and
10 to increase participation in the State's school-to-work initiatives, in a sum
11 not to exceed.....\$1,459,104.

12 (E) Effective July 1, 2012, the balance of the appropriation provided
13 in Item (T) Section 1 of Act 52 of 2011, for grants to cities, counties,
14 planning and development districts, and other eligible entities for land
15 acquisition, improvements, construction, renovation, major maintenance, and
16 purchase of equipment, industrial site development costs including,
17 construction, renovation, and equipment acquisition, development of
18 intermodal facilities, including port and waterway projects, rail spur
19 construction and road and highway improvements, environmental mitigation
20 projects, and construction and improvement of water and sewer systems, in a
21 sum not to exceed.....\$88,750.

22 (F) Effective July 1, 2012, the balance of the appropriation provided
23 in Item (H) Section 1 of Act 52 of 2011, for grants to cities, counties,
24 planning and development districts, and other eligible entities for land
25 acquisition, improvements, construction, renovation, major maintenance, and
26 purchase of equipment, industrial site development costs including,
27 construction, renovation, and equipment acquisition, development of
28 intermodal facilities, including port and waterway projects, rail spur
29 construction and road and highway improvements, environmental mitigation
30 projects, and construction and improvement of water and sewer systems, in a
31 sum not to exceed.....\$3,000.

32 (G) Effective July 1, 2012, the balance of the appropriation provided
33 in Item (D) Section 1 of Act 52 of 2011, for grants to cities, counties,
34 planning and development districts, and other eligible entities for land
35 acquisition, improvements, construction, renovation, major maintenance, and
36 purchase of equipment, industrial site development costs including,

1 construction, renovation, and equipment acquisition, development of
2 intermodal facilities, including port and waterway projects, rail spur
3 construction and road and highway improvements, environmental mitigation
4 projects, and construction and improvement of water and sewer systems, in a
5 sum not to exceed.....\$24,000.

6 (H) Effective July 1, 2012, the balance of the appropriation provided
7 in Item (E) Section 1 of Act 52 of 2011, for grants to cities, counties,
8 planning and development districts, and other eligible entities for land
9 acquisition, improvements, construction, renovation, major maintenance, and
10 purchase of equipment, industrial site development costs including,
11 construction, renovation, and equipment acquisition, development of
12 intermodal facilities, including port and waterway projects, rail spur
13 construction, and road and highway improvements, environmental mitigation
14 projects, and construction and improvement of water and sewer systems, in a
15 sum not to exceed.....\$45,000.

16 (I) Effective July 1, 2012, the balance of the appropriation provided
17 in Item (F) Section 1 of Act 52 of 2011, for grants to cities, counties,
18 planning and development districts and other eligible entities for land
19 acquisition, improvements, construction, renovation, major maintenance, and
20 purchase of equipment, industrial site development costs including,
21 construction, renovation, and equipment acquisition, development of
22 intermodal facilities, including port and waterway projects, rail spur
23 construction and road and highway improvements, environmental mitigation
24 projects, and construction and improvement of water and sewer systems, in a
25 sum not to exceed.....\$16,250.

26 (J) Effective July 1, 2012, the balance of the appropriation provided
27 in Item (G) Section 1 of Act 52 of 2011, for grants to cities, counties,
28 planning and development districts, and other eligible entities for land
29 acquisition, improvements, construction, renovation, major maintenance, and
30 purchase of equipment, industrial site development costs including,
31 construction, renovation, and equipment acquisition, development of
32 intermodal facilities, including port and waterway projects, rail spur
33 construction and road and highway improvements, environmental mitigation
34 projects and construction and improvement of water and sewer systems, in a
35 sum not to exceed.....\$5,000.

36 (K) Effective July 1, 2012, the balance of the appropriation provided

1 in Item (I) Section 1 of Act 52 of 2011, for grants to cities, counties,
2 planning and development districts, and other eligible entities for land
3 acquisition, improvements, construction, renovation, major maintenance, and
4 purchase of equipment, industrial site development costs including,
5 construction, renovation, and equipment acquisition, development of
6 intermodal facilities, including port and waterway projects, rail spur
7 construction and road and highway improvements, environmental mitigation
8 projects, and construction and improvement of water and sewer systems, in a
9 sum not to exceed.....\$20,000.

10 (L) Effective July 1, 2012, the balance of the appropriation provided
11 in Item (A) Section 1 of Act 684 of 2011, for a grant to support the
12 development and implementation of regional intermodal freight facilities and
13 operations, in a sum not to exceed.....\$900,000.

14 (M) Effective July 1, 2012, the balance of the appropriation provided
15 in Item (A) Section 1 of Act 476 of 2011, for a grant for a statewide
16 membership-based nonprofit association for continued development to promote
17 and support statewide capacity building and nonprofit workforce development
18 through technical assistance for organizational development, products and
19 services to improve efficiency, and a network for professional and
20 organizational engagement, in a sum not to exceed.....\$125,000.

21 (N) Effective July 1, 2012, the balance of the appropriation provided
22 in Item (A) Section 1 of Act 483 of 2011, for grants to Arkansas Planning and
23 Development Districts for land acquisition, improvements, construction,
24 renovation, major maintenance, and purchase of equipment, industrial site
25 development costs including, construction, renovation, and equipment
26 acquisition, development of intermodal facilities, including port and
27 waterway projects, rail spur construction and road and highway improvements,
28 environmental mitigation projects, and construction and improvement of water
29 and sewer systems, in a sum not to exceed.....\$100,000.

30 (O) Effective July 1, 2012, the balance of the appropriation provided
31 in Item (A) Section 1 of Act 411 of 2011, for grants to cities, counties,
32 planning and development districts, and other eligible entities for land
33 acquisition, improvements, construction, renovation, major maintenance, and
34 purchase of equipment, industrial site development costs including,
35 construction, renovation, and equipment acquisition, development of
36 intermodal facilities, including port and waterway projects, rail spur

1 construction and road and highway improvements, environmental mitigation
2 projects, and construction and improvement of water and sewer systems, in a
3 sum not to exceed.....\$300,000.

4 (P) Effective July 1, 2012, the balance of the appropriation provided
5 in Item (A) Section 1 of Act 667 of 2011, for grants to cities, counties,
6 planning and development districts, and other eligible entities for land
7 acquisition, improvements, construction, renovation, major maintenance, and
8 purchase of equipment, industrial site development costs including,
9 construction, renovation, and equipment acquisition, development of
10 intermodal facilities, including port and waterway projects, rail spur
11 construction and road and highway improvements, environmental mitigation
12 projects, and construction and improvement of water and sewer systems, in a
13 sum not to exceed.....\$200,000.

14 (Q) Effective July 1, 2012, the balance of the appropriation provided
15 in Item (A) Section 1 of Act 395 of 2011, for grants to non-profit
16 organizations and other eligible entities for personal services, operating
17 expenses, maintenance, equipment and improvements for after school and youth
18 programs, in a sum not to exceed.....\$100,000.

19 (R) Effective July 1, 2012, the balance of the appropriation provided
20 in Item (A) Section 1 of Act 544 of 2011, for a transfer to the Economic
21 Development Incentive Quick Action Closing Fund, for incentives to attract
22 new business and economic development to the State, in a sum not to
23 exceed.....\$50,000,000.

24 (S) Effective July 1, 2012, the balance of the appropriation provided
25 in Item (A) Section 3 of Act 544 of 2011, for funding for grants and/or loans
26 to state agencies, cities, counties, community-based non-profit organizations
27 and other eligible entities to undertake public works projects and/or job
28 training efforts which support private sector job creation opportunities,
29 alleviate conditions which constitute a threat to public health and well
30 being, or partially defray the costs of providing access to publicly owned
31 industrial parks, and/or technology parks; and to provide grants and/or loans
32 for the expansion of the aircraft and aerospace industry; and for grants
33 and/or loans for port and waterway economic development projects; and for
34 grants and/or loans for technology based economic development projects; and
35 for grants and/or loans for industrial site development costs (including, but
36 not limited to land acquisition, construction, renovation, and equipment

1 acquisition); and for development of intermodal facilities (including, but
2 not limited to port and waterway projects, rail spur construction and road
3 and highway improvements); and for grants and/or loans to pay the costs of
4 environmental mitigation projects; and for construction and/or improvement of
5 water and sewer systems, in a sum not to exceed.....\$20,000,000.

6 (T) Effective July 1, 2012, the balance of the appropriation provided
7 in Item (A) Section 5 of Act 544 of 2011, for funding for an investment in
8 Arkansas' workforce through training incentives for companies located in
9 Arkansas to upgrade skills of their existing workforce, or for a potential
10 new workforce, and to build capacity within Arkansas to supply on-going
11 training needs of Arkansas companies and to increase participation in the
12 State's school-to-work initiatives, in a sum not to exceed.....\$3,000,000.

13 (U) Effective July 1, 2012, the balance of the appropriation provided
14 in Item (A) Section 6 of Act 544 of 2011, for a transfer to the Innovate
15 Arkansas Fund to provide assistance to start-up technology oriented
16 businesses, in a sum not to exceed.....\$3,000,000.

17 (V) Effective July 1, 2012, the balance of the appropriation provided
18 in Item (A) Section 8 of Act 544 of 2011, for allocation by the Executive
19 Director of the Arkansas Economic Development Commission for activities
20 associated with the implementation of the State's strategic plan for economic
21 development, in a sum not to exceed.....\$500,000.

22 (W) Effective July 1, 2012, the balance of the appropriation provided
23 in Item (A) Section 1 of Act 436 of 2011, for grants to cities, counties,
24 planning and development districts, and other eligible entities for land
25 acquisition, improvements, construction, renovation, major maintenance, and
26 purchase of equipment, industrial site development costs including,
27 construction, renovation, and equipment acquisition, development of
28 intermodal facilities, including port and waterway projects, rail spur
29 construction and road and highway improvements, environmental mitigation
30 projects, and construction and improvement of water and sewer systems, in a
31 sum not to exceed.....\$200,000.
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33 SECTION 5. REAPPROPRIATION - INNOVATE ARKANSAS. There is hereby
34 appropriated, to the Economic Development Commission, to be payable from the
35 Innovate Arkansas Fund, for the Economic Development Commission the
36 following:

1 (A) Effective July 1, 2012, the balance of the appropriation provided
2 in Item (A) Section 7 of Act 544 of 2011, for providing assistance to start-
3 up technology oriented businesses, in a sum not to exceed.....\$3,000,000.
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5 SECTION 6. REAPPROPRIATION - QUICK ACTION CLOSING FUND. There is
6 hereby appropriated, to the Economic Development Commission, to be payable
7 from the Economic Development Incentive Quick Action Closing Fund, for the
8 Economic Development Commission the following:

9 (A) Effective July 1, 2012, the balance of the appropriation provided
10 in Section 2 of Act 544 of 2011, for incentives to attract new business and
11 economic development to the State for the fiscal year ending June 30, 2013,
12 in a sum not to exceed.....\$50,000,000.

13 (B) Effective July 1, 2012, the balance of the appropriation provided
14 in Item (A) Section 3 of Act 52 of 2011, for investment incentives to attract
15 new business and economic development to the state, in a sum not to exceed
16\$1,386,531.

17 (C) Effective July 1, 2012, the balance of the appropriation provided
18 in Item (B) Section 3 of Act 52 of 2011, for incentives to attract new
19 business and economic development to the state, in a sum not to exceed
20\$49,961,527.
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22 SECTION 7. REAPPROPRIATION - MINORITY BUSINESS LOAN MOBILIZATION
23 PROGRAM. There is hereby appropriated, to the Economic Development
24 Commission, to be payable from the Minority Loan Mobilization Revolving Fund,
25 for the Economic Development Commission the following:

26 (A) Effective July 1, 2012, the balance of the appropriation provided
27 in Item (A) Section 5 of Act 52 of 2011, for promoting the development of
28 minority business enterprises in the State, increasing the ability of
29 minority business enterprises to compete for state contracts, and sustaining
30 the economic growth of minority business enterprises in the State, in a sum
31 not to exceed.....\$296,573.
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33 SECTION 8. REAPPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM.
34 There is hereby appropriated, to the Economic Development Commission, to be
35 payable from the Economic Development Incentive Fund of the Arkansas Economic
36 Development Commission, for the Economic Development Commission the

1 following:

2 (A) Effective July 1, 2012, the balance of the appropriation provided
3 in Item (A) Section 4 of Act 544 of 2011, for financial incentives to
4 companies locating a new facility or expanding an existing facility within
5 the state of Arkansas and for companies that hire and maintain specified
6 levels of employment, as identified in signed financial agreements, in a sum
7 not to exceed.....\$37,500,000.

8 (B) Effective July 1, 2012, the balance of the appropriation provided
9 in Item (A) Section 2 of Act 52 of 2011, for providing financial incentives
10 to companies locating a new facility or expanding an existing facility within
11 the State of Arkansas and for companies that hire and maintain specified
12 levels of employment, as identified in signed financial incentive agreements,
13 in a sum not to exceed.....\$32,134,653.

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15 SECTION 9. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
16 obligations otherwise incurred in relation to the project or projects
17 described herein in excess of the State Treasury funds actually available
18 therefor as provided by law. Provided, however, that institutions and
19 agencies listed herein shall have the authority to accept and use grants and
20 donations including Federal funds, and to use its unobligated cash income or
21 funds, or both available to it, for the purpose of supplementing the State
22 Treasury funds for financing the entire costs of the project or projects
23 enumerated herein. Provided further, that the appropriations and funds
24 otherwise provided by the General Assembly for Maintenance and General
25 Operations of the agency or institutions receiving appropriation herein shall
26 not be used for any of the purposes as appropriated in this act.

27 (B) The restrictions of any applicable provisions of the State
28 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
29 Revenue Stabilization Law and any other applicable fiscal control laws of
30 this State and regulations promulgated by the Department of Finance and
31 Administration, as authorized by law, shall be strictly complied with in
32 disbursement of any funds provided by this act unless specifically provided
33 otherwise by law.

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35 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General
36 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for
2 which this act was adopted, as evidenced by the Agency Requests, Executive
3 Recommendations and Legislative Recommendations contained in the budget
4 manuals prepared by the Department of Finance and Administration, letters, or
5 summarized oral testimony in the official minutes of the Arkansas Legislative
6 Council or Joint Budget Committee which relate to its passage and adoption.
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8 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the
9 General Assembly, that the Constitution of the State of Arkansas prohibits
10 the appropriation of funds for more than a one (1) year period; that the
11 effectiveness of this Act on July 1, 2012 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the legislative session, the delay in the
14 effective date of this Act beyond July 1, 2012 could work irreparable harm
15 upon the proper administration and provision of essential governmental
16 programs. Therefore, an emergency is hereby declared to exist and this Act
17 being necessary for the immediate preservation of the public peace, health
18 and safety shall be in full force and effect from and after July 1, 2012.
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