

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 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 121 of 2003
HOUSE BILL 1306

5 By: Representatives Dees, Cleveland, Bradford, Chesterfield, Clemons, Dobbins, Eason, Edwards,
6 Elliott, Ferguson, Gillespie, Goss, Green, Hickinbotham, House, Jacobs, C. Johnson, J. Johnson, Jones,
7 Judy, Lewellen, Milligan, Oglesby, L. Prater, S. Prater, Rankin, Thomas, Weaver, White
8 By: Senators Wilkins, Argue, J. Bookout, Broadway, Bryles, Capps, Faris, Glover, Gullett,
9 Higginbotham, Hill, Horn, J. Jeffress, G. Jeffress, B. Johnson, Madison, Malone, Salmon, T. Smith,
10 Steele, Wooldridge
11
12

For An Act To Be Entitled

13 AN ACT TO ESTABLISH AN ALTERNATIVE FUELS FUND AND
14 A WEATHERIZATION ASSISTANCE FUND.
15
16

Subtitle

17 AN ACT TO ESTABLISH AN ALTERNATIVE FUELS
18 FUND AND A WEATHERIZATION ASSISTANCE
19 FUND.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. (a) There is created on the books of the Treasurer of
26 State, Auditor of State, and Chief Fiscal Officer of the State a special
27 revenue fund to be known as the "Alternative Fuels Fund".

28 (b) The fund shall consist of that portion of the section 3(a) fees
29 prescribed in section 3(c)(1).

30 (c) The fund shall be used by the Alternative Fuels Commission,
31 created by an act of this regular session, for:

32 (1) Operation of the Alternative Fuels Commission office;

33 (2) Grants for alternative fuels research; and

34 (3) Grants or loans for alternative fuels projects.
35

36 SECTION 2. (a) There is created on the books of the Treasurer of



1 State, Auditor of State, and Chief Fiscal Officer of the State a special
 2 revenue fund to be known as the "Arkansas Weatherization Assistance Fund".

3 (b) The fund shall consist of that portion of the section 3(a) fees
 4 prescribed in section 3(c)(2).

5 (c) The fund shall be used by the Department of Human Services to
 6 supplement the Federal Weatherization Assistance Program.

7 (d)(1) The department may establish a weatherization assistance
 8 program and use the Arkansas Weatherization Assistance Fund to carry out the
 9 program.

10 (2) The program may include, but is not limited to:

11 (A) Establishing criteria under which an applicant may
 12 qualify for weatherization assistance;

13 (B) Defining the weatherization measures which may be
 14 undertaken under the program;

15 (C) Contracting for weatherization to be performed upon
 16 qualified dwellings;

17 (D) Making repairs to dwellings so that the dwellings will
 18 qualify for federal weatherization assistance; and

19 (E) Providing financial literacy training for recipients
 20 of weatherization assistance.

21 (3) The household income eligibility criteria for assistance
 22 under the program shall be a household income less than two hundred percent
 23 (200%) of the poverty level applicable to the household as determined by the
 24 department.

25 (4) The Arkansas Department of Human Services may establish
 26 grant agreements with local governments and nonprofit corporations that meet
 27 qualifications to be established by the department.

28 (5) Grant agreements under this section shall be for the
 29 purposes authorized by this act.

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 31 SECTION 3. (a)(1) An electric or natural gas utility may elect to
 32 contribute to the Alternative Fuels Fund and the Arkansas Weatherization
 33 Assistance Fund by notifying the Director of the Department of Finance and
 34 Administration in writing.

35 (2) Each contributing electric utility shall be assessed a fee
 36 of one tenth of a cent (0.1¢) per kilowatt hour sold to each residential

1 customer in this state, but not to exceed one dollar (\$1.00) per customer in
2 any month.

3 (3) Each contributing natural gas utility shall be assessed a
4 fee of one tenth of a cent (0.1¢) per hundred cubic fee sold to each
5 residential customer in this state, but not to exceed one dollar (\$1.00) per
6 customer in any month.

7 (4) A utility may recover the cost of this fee by assessing a
8 direct charge on each residential customer bill.

9 (5) The charge shall not be considered a rate or tariffed
10 service subject to the jurisdiction of the Arkansas Public Service
11 Commission.

12 (6) Proceeds from the fee shall not be considered revenue to the
13 utility for purposes of setting the utility's regulated rates.

14 (b) By the twentieth (20th) day of each calendar month, the utility
15 shall remit the amount of the fee recovered during the previous calendar
16 month to the Director of the Department of Finance and Administration.

17 (c)(1) The director shall deposit thirty percent (30%) of the amount
18 remitted by each utility to the State Treasury as special revenues credited
19 to the Alternative Fuels Fund.

20 (2) The director shall deposit seventy percent (70%) of the
21 amount remitted by each utility to the State Treasury as special revenues
22 credited to the Arkansas Weatherization Assistance Fund.

23
24 SECTION 4. (a)(1) The Alternative Fuels Commission shall file a
25 report with the Arkansas Legislative Council by September 15 of each year.

26 (2) The report shall inform the council as to the grants made
27 and the results for the period of the previous fiscal year ending on June 30.

28 (b)(1) The Department of Human Services shall file a report with the
29 Arkansas Legislative Council by September 15 of each year.

30 (2) The report shall provide an overview of program activity,
31 including but not limited to, information on the types of families assisted,
32 the geographic distribution of assistance, and results of the program.

33 (3) The report shall address the period of the previous fiscal
34 year ending on June 30.

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36 APPROVED: BECAME LAW ON 2/17/2003, WITHOUT THE GOVERNOR'S SIGNATURE.