

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

A Bill

Act 120 of 2003

3 Regular Session, 2003

SENATE BILL 173

4 By: Senators Steele, Wilkins, Argue, J. Bookout, Broadway, Bryles, Capps, Faris, Glover, Gullett,
5 Higginbotham, Hill, Horn, J. Jeffress, G. Jeffress, B. Johnson, Madison, Malone, Salmon, T. Smith,
6 Wooldridge

7 By: Representatives Dees, Cleveland, Bradford, Chesterfield, Clemons, Dobbins, Eason, Edwards,
8 Elliott, Ferguson, Gillespie, Goss, Green, Hickinbotham, House, Jacobs, C. Johnson, J. Johnson, Jones,
9 Judy, Lewellen, Milligan, Oglesby, L. Prater, S. Prater, Rankin, Thomas, Weaver, White

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For An Act To Be Entitled

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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.

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21

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

23

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

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

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

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

32 (2) Grants for alternative fuels research; and

33 (3) Grants or loans for alternative fuels projects.

34

35 SECTION 2. (a) There is created on the books of the Treasurer of
36 State, Auditor of State, and Chief Fiscal Officer of the State a special



1 revenue fund to be known as the “Arkansas Weatherization Assistance Fund”.

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

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

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

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

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

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

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

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

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

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

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

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

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

34 (2) Each contributing electric utility shall be assessed a fee
 35 of one tenth of a cent (0.1¢) per kilowatt hour sold to each residential
 36 customer in this state, but not to exceed one dollar (\$1.00) per customer in

1 any month.

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

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

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

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

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

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

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

22
23 SECTION 4. (a)(1) The Alternative Fuels Commission shall file a
24 report with the Arkansas Legislative Council by September 15 of each year.

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

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

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

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

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