

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 225

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

12
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 - GRANTS/PROJECTS/FUNDS. There is hereby
21 appropriated, to the Economic Development Commission, to be payable from the
22 General Improvement Fund or its successor fund or fund accounts, for the
23 Economic Development Commission the following:

24 (A) Effective July 1, 2011, the balance of the appropriation provided
25 in Item (A) Section 1 of Act 290 of 2010, for providing funding and
26 appropriation for an investment in Arkansas' workforce through training
27 incentives for companies located in Arkansas to upgrade skills of their
28 existing workforce, or for a potential new workforce, and to build capacity
29 within Arkansas to supply on-going training needs to Arkansas companies and
30 to increase participation in the State's school-to-work initiatives, in a sum
31 not to exceed.....\$431,968.

32 (B) Effective July 1, 2011, the balance of the appropriation provided
33 in Item (B) Section 1 of Act 290 of 2010, for providing funding for grants to
34 cities and counties to provide financial assistance necessary to undertake
35 public works projects and/or job training efforts which support private
36 sector job creation opportunities, alleviate conditions which constitute a



1 threat to public health and well being, or partially defray the costs of
2 providing access to publicly owned industrial parks; and for grants and/or
3 loans for the expansion of the aircraft and aerospace industry; and for
4 grants and/or loans for port and waterway economic development projects; and
5 for grants and/or loans to support technology based economic development
6 projects, in a sum not to exceed.....\$2,025,490.

7 (C) Effective July 1, 2011, the balance of the appropriation provided
8 in Item (C) Section 1 of Act 290 of 2010, for the promotion of the movie/film
9 office for the production of full length movies in the State of Arkansas, in
10 a sum not to exceed.....\$8,683.

11 (D) Effective July 1, 2011, the balance of the appropriation provided
12 in Item (F) Section 1 of Act 290 of 2010, for grants to cities, counties,
13 planning and development districts, and other eligible entities for land
14 acquisition, improvements, construction, renovation, major maintenance, and
15 purchase of equipment, industrial site development costs including,
16 construction, renovation, and equipment acquisition, development of
17 intermodal facilities, including port and waterway projects, rail spur
18 construction and road and highway improvements, environmental mitigation
19 projects, and construction and improvement of water and sewer systems, in a
20 sum not to exceed.....\$125,000.

21 (E) Effective July 1, 2011, the balance of the appropriation provided
22 in Item (G) Section 1 of Act 290 of 2010, for grants to cities, counties,
23 planning and development districts, and other eligible entities for land
24 acquisition, improvements, construction, renovation, major maintenance, and
25 purchase of equipment, industrial site development costs including,
26 construction, renovation, and equipment acquisition, development of
27 intermodal facilities, including port and waterway projects, rail spur
28 construction, and road and highway improvements, environmental mitigation
29 projects, and construction and improvement of water and sewer systems, in a
30 sum not to exceed.....\$45,000.

31 (F) Effective July 1, 2011, the balance of the appropriation provided
32 in Item (H) Section 1 of Act 290 of 2010, for grants to cities, counties,
33 planning and development districts and other eligible entities for land
34 acquisition, improvements, construction, renovation, major maintenance, and
35 purchase of equipment, industrial site development costs including,
36 construction, renovation, and equipment acquisition, development of

1 intermodal facilities, including port and waterway projects, rail spur
2 construction and road and highway improvements, environmental mitigation
3 projects, and construction and improvement of water and sewer systems, in a
4 sum not to exceed.....\$16,250.

5 (G) Effective July 1, 2011, the balance of the appropriation provided
6 in Item (I) Section 1 of Act 290 of 2010, for grants to cities, counties,
7 planning and development districts, and other eligible entities for land
8 acquisition, improvements, construction, renovation, major maintenance, and
9 purchase of equipment, industrial site development costs including,
10 construction, renovation, and equipment acquisition, development of
11 intermodal facilities, including port and waterway projects, rail spur
12 construction and road and highway improvements, environmental mitigation
13 projects and construction and improvement of water and sewer systems, in a
14 sum not to exceed.....\$5,000.

15 (H) Effective July 1, 2011, the balance of the appropriation provided
16 in Item (K) Section 1 of Act 290 of 2010, for grants to cities, counties,
17 planning and development districts, and other eligible entities for land
18 acquisition, improvements, construction, renovation, major maintenance, and
19 purchase of equipment, industrial site development costs including,
20 construction, renovation, and equipment acquisition, development of
21 intermodal facilities, including port and waterway projects, rail spur
22 construction and road and highway improvements, environmental mitigation
23 projects, and construction and improvement of water and sewer systems, in a
24 sum not to exceed.....\$3,000.

25 (I) Effective July 1, 2011, the balance of the appropriation provided
26 in Item (M) Section 1 of Act 290 of 2010, for grants to cities, counties,
27 planning and development districts, and other eligible entities for land
28 acquisition, improvements, construction, renovation, major maintenance, and
29 purchase of equipment, industrial site development costs including,
30 construction, renovation, and equipment acquisition, development of
31 intermodal facilities, including port and waterway projects, rail spur
32 construction and road and highway improvements, environmental mitigation
33 projects, and construction and improvement of water and sewer systems, in a
34 sum not to exceed.....\$70,000.

35 (J) Effective July 1, 2011, the balance of the appropriation provided
36 in Item (N) Section 1 of Act 290 of 2010, for grants to eligible entities in

1 efforts to promote economic and social development including the purchase,
2 distribution, and associated costs for providing emergency food, food
3 banks/food suppliers, government surplus food distribution sites, home
4 assistance/supplies, in a sum not to exceed.....\$350,000.

5 (K) Effective July 1, 2011, the balance of the appropriation provided
6 in Item (P) Section 1 of Act 290 of 2010, for grants to state agencies,
7 cities and counties, and other eligible entities, for industrial site
8 development costs including land acquisition, construction, renovation, and
9 equipment acquisition, development of intermodal facilities, including port
10 and waterway projects, rail spur construction and road and highway
11 improvements, environmental mitigation projects, and construction and
12 improvement of water and sewer systems, in a sum not to exceed
13\$10,000,000.

14 (L) Effective July 1, 2011, the balance of the appropriation provided
15 in Item (Q) Section 1 of Act 290 of 2010, for transfer into the Minority
16 Business Loan Mobilization Revolving Fund to promote the development of
17 minority business enterprises in the State, increase the ability of minority
18 business enterprises to compete for state contracts, and sustain the economic
19 growth of minority business enterprises in the State, in a sum not to exceed
20\$400,000.

21 (M) Effective July 1, 2011, the balance of the appropriation provided
22 in Item (R) Section 1 of Act 290 of 2010, for the allocation by the Executive
23 Director of the Arkansas Economic Development Commission, for activities
24 associated with the implementation of Governor Mike Beebe’s Strategic Plan
25 for Economic Development, in a sum not to exceed.....\$500,000.

26 (N) Effective July 1, 2011, the balance of the appropriation provided
27 in Item (S) Section 1 of Act 290 of 2010, for providing funding for grants to
28 cities and counties to provide financial assistance necessary to undertake
29 public works projects and/or job training efforts which support private
30 sector job creation opportunities, alleviate conditions which constitute a
31 threat to public health and well-being, or partially defray the costs of
32 providing access to publicly owned industrial parks; and for grants and/or
33 loans for the expansion of the aircraft and aerospace industry; and for
34 grants and/or loans to support technology based economic development
35 projects, in a sum not to exceed.....\$19,750,000.

36 (O) Effective July 1, 2011, the balance of the appropriation provided

1 in Item (T) Section 1 of Act 290 of 2010, for transfer to the Quick Action
2 Closing Fund to provide incentives to attract new business and economic
3 development to the State, in a sum not to exceed.....\$50,000,000.

4 (P) Effective July 1, 2011, the balance of the appropriation provided
5 in Item (U) Section 1 of Act 290 of 2010, 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.....\$5,000,000.

12 (Q) Effective July 1, 2011, the balance of the appropriation provided
13 in Item (V) Section 1 of Act 290 of 2010, for transfer to the Innovate
14 Arkansas Fund to provide assistance to start-up technology oriented
15 businesses, in a sum not to exceed.....\$1,003,812.

16 (R) Effective July 1, 2011, the balance of the appropriation provided
17 in Item (W) Section 1 of Act 290 of 2010, for economic development projects
18 authorized under Amendment 82 to the Constitution of the State of Arkansas of
19 1874, in a sum not to exceed.....\$225,000,000.

20 (S) Effective July 1, 2011, the balance of the appropriation provided
21 in Item (Z) Section 1 of Act 290 of 2010, for the cost associated with
22 providing production rebates, in a sum not to exceed.....\$5,000,000.

23 (T) Effective July 1, 2011, the balance of the appropriation provided
24 in Item (CC) Section 1 of Act 290 of 2010, for grants to cities, counties,
25 planning and development districts, and other eligible entities for land
26 acquisition, improvements, construction, renovation, major maintenance, and
27 purchase of equipment, industrial site development costs including,
28 construction, renovation, and equipment acquisition, development of
29 intermodal facilities, including port and waterway projects, rail spur
30 construction and road and highway improvements, environmental mitigation
31 projects, and construction and improvement of water and sewer systems, in a
32 sum not to exceed.....\$88,750.

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34 SECTION 2. REAPPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM.

35 There is hereby appropriated, to the Economic Development Commission, to be
36 payable from the Economic Development Incentive Fund of the Arkansas Economic

1 Development Commission, for the Economic Development Commission the
2 following:

3 (A) Effective July 1, 2011, the balance of the appropriation provided
4 in Item (B) Section 2 of Act 290 of 2010, for providing financial incentives
5 to companies locating a new facility or expanding an existing facility within
6 the State of Arkansas and for companies that hire and maintain specified
7 levels of employment, as identified in signed financial incentive agreements,
8 in a sum not to exceed.....\$39,500,000.

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10 SECTION 3. REAPPROPRIATION - QUICK ACTION CLOSING FUND. There is
11 hereby appropriated, to the Economic Development Commission, to be payable
12 from the Economic Development Incentive Quick Action Closing Fund, for the
13 Economic Development Commission the following:

14 (A) Effective July 1, 2011, the balance of the appropriation provided
15 in Item (A) Section 3 of Act 290 of 2010, for investment incentives to
16 attract new business and economic development to the state, in a sum not to
17 exceed.....\$14,613,264.

18 (B) Effective July 1, 2011, the balance of the appropriation provided
19 in Item (B) Section 3 of Act 290 of 2010, for incentives to attract new
20 business and economic development to the state, in a sum not to exceed
21\$50,000,000.

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23 SECTION 4. REAPPROPRIATION - RAILROAD RECLAMATION. There is hereby
24 appropriated, to the Economic Development Commission, to be payable from the
25 federal funds as designated by the Chief Fiscal Officer of the State, for the
26 Economic Development Commission the following:

27 (A) Effective July 1, 2011, the balance of the appropriation provided
28 in Item (A) Section 4 of Act 290 of 2010, for grants for construction,
29 operating expenses, personal services and equipment for railroad reclamation,
30 in a sum not to exceed.....\$1,000,000.

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32 SECTION 5. REAPPROPRIATION - MINORITY BUSINESS LOAN MOBILIZATION
33 PROGRAM. There is hereby appropriated, to the Economic Development
34 Commission, to be payable from the Minority Loan Mobilization Revolving Fund,
35 for the Economic Development Commission the following:

36 (A) Effective July 1, 2011, the balance of the appropriation provided

1 in Item (A) Section 6 of Act 290 of 2010, for promoting the development of
2 minority business enterprises in the State, increasing the ability of
3 minority business enterprises to compete for state contracts, and sustaining
4 the economic growth of minority business enterprises in the State, in a sum
5 not to exceed.....\$398,910.

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7 SECTION 6. REAPPROPRIATION - INNOVATE ARKANSAS. There is hereby
8 appropriated, to the Economic Development Commission, to be payable from the
9 Innovate Arkansas Fund, for the Economic Development Commission the
10 following:

11 (A) Effective July 1, 2011, the balance of the appropriation provided
12 in Item (A) Section 7 of Act 290 of 2010, for providing assistance to start-
13 up technology oriented businesses, in a sum not to exceed.....\$1,003,812.

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15 SECTION 7. 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 8. 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 9. EMERGENCY CLAUSE. It is found and determined by the General
9 Assembly, that the Constitution of the State of Arkansas prohibits the
10 appropriation of funds for more than a one (1) year period; that the
11 effectiveness of this Act on July 1, 2011 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, 2011 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, 2011.
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21 **APPROVED: 02/18/2011**
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