

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1331

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 - 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, 2013, the balance of the appropriation provided  
24 in Item (A) Section 1 of Act 15 of 2012, 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, 2013, the balance of the appropriation provided  
33 in Item (A) Section 2 of Act 15 of 2012, 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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 2 SECTION 3. REAPPROPRIATION - FEDERAL FUNDS. There is hereby  
 3 appropriated, to the Economic Development Commission, to be payable from the  
 4 federal funds as designated by the Chief Fiscal Officer of the State, for the  
 5 Economic Development Commission the following:

6 (A) Effective July 1, 2013, the balance of the appropriation provided  
 7 in Item (A) Section 3 of Act 15 of 2012, for grants for construction,  
 8 operating expenses, personal services and equipment for railroad reclamation,  
 9 in a sum not to exceed.....\$1,000,000.

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 11 SECTION 4. REAPPROPRIATION - QUICK ACTION CLOSING FUND. There is  
 12 hereby appropriated, to the Economic Development Commission, to be payable  
 13 from the Economic Development Incentive Quick Action Closing Fund, for the  
 14 Economic Development Commission the following:

15 (A) Effective July 1, 2013, the balance of the appropriation provided  
 16 in Item (A) Section 6 of Act 15 of 2012, for incentives to attract new  
 17 business and economic development to the State, in a sum not to exceed  
 18 .....\$50,000,000.

19 (B) Effective July 1, 2013, the balance of the appropriation provided  
 20 in Item (C) Section 6 of Act 15 of 2012, for incentives to attract new  
 21 business and economic development to the State, in a sum not to exceed  
 22 .....\$37,542,778.

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 24 SECTION 5. REAPPROPRIATION - INNOVATE ARKANSAS. There is hereby  
 25 appropriated, to the Economic Development Commission, to be payable from the  
 26 Innovate Arkansas Fund, for the Economic Development Commission the  
 27 following:

28 (A) Effective July 1, 2013, the balance of the appropriation provided  
 29 in Item (A) Section 5 of Act 15 of 2012, for providing assistance to start-up  
 30 technology oriented businesses, in a sum not to exceed.....\$1,375,001.

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 32 SECTION 6. REAPPROPRIATION - MOVIE/FILM OFFICE. There is hereby  
 33 appropriated, to the Economic Development Commission, to be payable from the  
 34 General Improvement Fund or its successor fund or fund accounts, for the  
 35 Economic Development Commission - Movie/Film Office the following:

36 (A) Effective July 1, 2013, the balance of the appropriation provided

1 in Item (A) Section 4 of Act 15 of 2012, for the promotion of the movie/film  
2 office for the production of full length movies in the State of Arkansas, in  
3 a sum not to exceed.....\$8,683.

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5 SECTION 7. REAPPROPRIATION - MINORITY BUSINESS LOAN MOBILIZATION  
6 PROGRAM. There is hereby appropriated, to the Economic Development  
7 Commission, to be payable from the Minority Loan Mobilization Revolving Fund,  
8 for the Economic Development Commission the following:

9 (A) Effective July 1, 2013, the balance of the appropriation provided  
10 in Item (A) Section 7 of Act 15 of 2012, for promoting the development of  
11 minority business enterprises in the State, increasing the ability of  
12 minority business enterprises to compete for state contracts, and sustaining  
13 the economic growth of minority business enterprises in the State, in a sum  
14 not to exceed.....\$296,573.

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16 SECTION 8. REAPPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM.  
17 There is hereby appropriated, to the Economic Development Commission, to be  
18 payable from the Economic Development Incentive Fund of the Arkansas Economic  
19 Development Commission, for the Economic Development Commission the  
20 following:

21 (A) Effective July 1, 2013, the balance of the appropriation provided  
22 in Item (A) Section 8 of Act 15 of 2012, for financial incentives to  
23 companies locating a new facility or expanding an existing facility within  
24 the state of Arkansas and for companies that hire and maintain specified  
25 levels of employment, as identified in signed financial agreements, in a sum  
26 not to exceed.....\$37,500,000.

27 (B) Effective July 1, 2013, the balance of the appropriation provided  
28 in Item (B) Section 8 of Act 15 of 2012, for providing financial incentives  
29 to companies locating a new facility or expanding an existing facility within  
30 the State of Arkansas and for companies that hire and maintain specified  
31 levels of employment, as identified in signed financial incentive agreements,  
32 in a sum not to exceed.....\$16,447,407.

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34 SECTION 9. REAPPROPRIATION - GENERAL IMPROVEMENT FUNDS. There is  
35 hereby appropriated, to the Economic Development Commission, to be payable  
36 from the General Improvement Fund or its successor fund or fund accounts, for

1 the Economic Development Commission the following:

2 (A) Effective July 1, 2013, the balance of the appropriation provided  
3 in Item (B) Section 4 of Act 15 of 2012, for providing funding for grants to  
4 cities and counties to provide financial assistance necessary to undertake  
5 public works projects and/or job training efforts which support private  
6 sector job creation opportunities, alleviate conditions which constitute a  
7 threat to public health and well being, or partially defray the costs of  
8 providing access to publicly owned industrial parks; and for grants and/or  
9 loans for the expansion of the aircraft and aerospace industry; and for  
10 grants and/or loans for port and waterway economic development projects; and  
11 for grants and/or loans to support technology based economic development  
12 projects, in a sum not to exceed.....\$1,836,846.

13 (B) Effective July 1, 2013, the balance of the appropriation provided  
14 in Item (C) Section 4 of Act 15 of 2012, for providing funding for grants to  
15 cities and counties to provide financial assistance necessary to undertake  
16 public works projects and/or job training efforts which support private  
17 sector job creation opportunities, alleviate conditions which constitute a  
18 threat to public health and well-being, or partially defray the costs of  
19 providing access to publicly owned industrial parks; and for grants and/or  
20 loans for the expansion of the aircraft and aerospace industry; and for  
21 grants and/or loans to support technology based economic development  
22 projects, in a sum not to exceed.....\$1,767,738.

23 (C) Effective July 1, 2013, the balance of the appropriation provided  
24 in Item (D) Section 4 of Act 15 of 2012, for providing funding and  
25 appropriation for an investment in Arkansas' workforce through training  
26 incentives for companies located in Arkansas to upgrade skills of their  
27 existing workforce, or for a potential new workforce, and to build capacity  
28 within Arkansas to supply on-going training needs of Arkansas companies and  
29 to increase participation in the State's school-to-work initiatives, in a sum  
30 not to exceed.....\$704,522.

31 (D) Effective July 1, 2013, the balance of the appropriation provided  
32 in Item (E) Section 4 of Act 15 of 2012, 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.....\$88,750.

5 (E) Effective July 1, 2013, the balance of the appropriation provided  
6 in Item (F) Section 4 of Act 15 of 2012, 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.....\$3,000.

15 (F) Effective July 1, 2013, the balance of the appropriation provided  
16 in Item (G) Section 4 of Act 15 of 2012, 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.....\$18,000.

25 (G) Effective July 1, 2013, the balance of the appropriation provided  
26 in Item (H) Section 4 of Act 15 of 2012, 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.....\$45,000.

35 (H) Effective July 1, 2013, the balance of the appropriation provided  
36 in Item (I) Section 4 of Act 15 of 2012, grants to cities, counties, planning

1 and development districts and other eligible entities for land acquisition,  
2 improvements, construction, renovation, major maintenance, and purchase of  
3 equipment, industrial site development costs including, construction,  
4 renovation, and equipment acquisition, development of intermodal facilities,  
5 including port and waterway projects, rail spur construction and road and  
6 highway improvements, environmental mitigation projects, and construction and  
7 improvement of water and sewer systems, in a sum not to exceed

8 .....\$16,250.

9 (I) Effective July 1, 2013, the balance of the appropriation provided  
10 in Item (J) Section 4 of Act 15 of 2012, for grants to cities, counties,  
11 planning and development districts, and other eligible entities for land  
12 acquisition, improvements, construction, renovation, major maintenance, and  
13 purchase of equipment, industrial site development costs including,  
14 construction, renovation, and equipment acquisition, development of  
15 intermodal facilities, including port and waterway projects, rail spur  
16 construction and road and highway improvements, environmental mitigation  
17 projects and construction and improvement of water and sewer systems, in a  
18 sum not to exceed.....\$5,000.

19 (J) Effective July 1, 2013, the balance of the appropriation provided  
20 in Item (K) Section 4 of Act 15 of 2012, for grants to cities, counties,  
21 planning and development districts, and other eligible entities for land  
22 acquisition, improvements, construction, renovation, major maintenance, and  
23 purchase of equipment, industrial site development costs including,  
24 construction, renovation, and equipment acquisition, development of  
25 intermodal facilities, including port and waterway projects, rail spur  
26 construction and road and highway improvements, environmental mitigation  
27 projects, and construction and improvement of water and sewer systems, in a  
28 sum not to exceed.....\$20,000.

29 (K) Effective July 1, 2013, the balance of the appropriation provided  
30 in Item (O) Section 4 of Act 15 of 2012, for grants to cities, counties,  
31 planning and development districts, and other eligible entities for land  
32 acquisition, improvements, construction, renovation, major maintenance, and  
33 purchase of equipment, industrial site development costs including,  
34 construction, renovation, and equipment acquisition, development of  
35 intermodal facilities, including port and waterway projects, rail spur  
36 construction and road and highway improvements, environmental mitigation

1 projects, and construction and improvement of water and sewer systems, in a  
2 sum not to exceed.....\$5,000.

3 (L) Effective July 1, 2013, the balance of the appropriation provided  
4 in Item (P) Section 4 of Act 15 of 2012, for grants to cities, counties,  
5 planning and development districts, and other eligible entities for land  
6 acquisition, improvements, construction, renovation, major maintenance, and  
7 purchase of equipment, industrial site development costs including,  
8 construction, renovation, and equipment acquisition, development of  
9 intermodal facilities, including port and waterway projects, rail spur  
10 construction and road and highway improvements, environmental mitigation  
11 projects, and construction and improvement of water and sewer systems, in a  
12 sum not to exceed.....\$20,000.

13 (M) Effective July 1, 2013, the balance of the appropriation provided  
14 in Item (R) Section 4 of Act 15 of 2012, for a transfer to the Economic  
15 Development Incentive Quick Action Closing Fund, for incentives to attract  
16 new business and economic development to the State, in a sum not to  
17 exceed.....\$50,000,000.

18 (N) Effective July 1, 2013, the balance of the appropriation provided  
19 in Item (S) Section 4 of Act 15 of 2012, for funding for grants and/or loans  
20 to state agencies, cities, counties, community-based non-profit organizations  
21 and other eligible entities to undertake public works projects and/or job  
22 training efforts which support private sector job creation opportunities,  
23 alleviate conditions which constitute a threat to public health and well  
24 being, or partially defray the costs of providing access to publicly owned  
25 industrial parks, and/or technology parks; and to provide grants and/or loans  
26 for the expansion of the aircraft and aerospace industry; and for grants  
27 and/or loans for port and waterway economic development projects; and for  
28 grants and/or loans for technology based economic development projects; and  
29 for grants and/or loans for industrial site development costs (including, but  
30 not limited to land acquisition, construction, renovation, and equipment  
31 acquisition); and for development of intermodal facilities (including, but  
32 not limited to port and waterway projects, rail spur construction and road  
33 and highway improvements); and for grants and/or loans to pay the costs of  
34 environmental mitigation projects; and for construction and/or improvement of  
35 water and sewer systems, in a sum not to exceed.....\$19,500,000.

36 (O) Effective July 1, 2013, the balance of the appropriation provided

1 in Item (T) Section 4 of Act 15 of 2012, for funding for an investment in  
2 Arkansas' workforce through training incentives for companies located in  
3 Arkansas to upgrade skills of their existing workforce, or for a potential  
4 new workforce, and to build capacity within Arkansas to supply on-going  
5 training needs of Arkansas companies and to increase participation in the  
6 State's school-to-work initiatives, in a sum not to exceed.....\$3,000,000.

7 (P) Effective July 1, 2013, the balance of the appropriation provided  
8 in Item (U) Section 4 of Act 15 of 2012, for a transfer to the Innovate  
9 Arkansas Fund to provide assistance to start-up technology oriented  
10 businesses, in a sum not to exceed.....\$1,375,001.

11 (Q) Effective July 1, 2013, the balance of the appropriation provided  
12 in Item (V) Section 4 of Act 15 of 2012, for allocation by the Executive  
13 Director of the Arkansas Economic Development Commission for activities  
14 associated with the implementation of the State's strategic plan for economic  
15 development, in a sum not to exceed.....\$500,000.

16 (R) Effective July 1, 2013, the balance of the appropriation provided  
17 in Item (W) Section 4 of Act 15 of 2012, 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.....\$45,000.

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27 SECTION 10. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
28 obligations otherwise incurred in relation to the project or projects  
29 described herein in excess of the State Treasury funds actually available  
30 therefor as provided by law. Provided, however, that institutions and  
31 agencies listed herein shall have the authority to accept and use grants and  
32 donations including Federal funds, and to use its unobligated cash income or  
33 funds, or both available to it, for the purpose of supplementing the State  
34 Treasury funds for financing the entire costs of the project or projects  
35 enumerated herein. Provided further, that the appropriations and funds  
36 otherwise provided by the General Assembly for Maintenance and General

1 Operations of the agency or institutions receiving appropriation herein shall  
2 not be used for any of the purposes as appropriated in this act.

3 (B) The restrictions of any applicable provisions of the State Purchasing  
4 Law, the General Accounting and Budgetary Procedures Law, the Revenue  
5 Stabilization Law and any other applicable fiscal control laws of this State  
6 and regulations promulgated by the Department of Finance and Administration,  
7 as authorized by law, shall be strictly complied with in disbursement of any  
8 funds provided by this act unless specifically provided otherwise by law.

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10 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General  
11 Assembly that any funds disbursed under the authority of the appropriations  
12 contained in this act shall be in compliance with the stated reasons for  
13 which this act was adopted, as evidenced by the Agency Requests, Executive  
14 Recommendations and Legislative Recommendations contained in the budget  
15 manuals prepared by the Department of Finance and Administration, letters, or  
16 summarized oral testimony in the official minutes of the Arkansas Legislative  
17 Council or Joint Budget Committee which relate to its passage and adoption.

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19 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the  
20 General Assembly, that the Constitution of the State of Arkansas prohibits  
21 the appropriation of funds for more than a one (1) year period; that the  
22 effectiveness of this Act on July 1, 2013 is essential to the operation of  
23 the agency for which the appropriations in this Act are provided, and that in  
24 the event of an extension of the legislative session, the delay in the  
25 effective date of this Act beyond July 1, 2013 could work irreparable harm  
26 upon the proper administration and provision of essential governmental  
27 programs. Therefore, an emergency is hereby declared to exist and this Act  
28 being necessary for the immediate preservation of the public peace, health  
29 and safety shall be in full force and effect from and after July 1, 2013.

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32 **APPROVED: 03/01/2013**  
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