State of Arkansas

92nd General Assembly

Regular Session, 2019

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS ECONOMIC DEVELOPMENT COMMISSION FOR CAPITAL IMPROVEMENT PROJECTS, GRANTS AND PROGRAMS; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS ECONOMIC DEVELOPMENT COMMISSION - CAPITAL IMPROVEMENT PROJECTS, GRANTS AND PROGRAMS APPROPRIATION.

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

SECTION 1. APPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is hereby appropriated, to the Arkansas Economic Development Commission, to be payable from the Development and Enhancement Fund, the following:

(A) for grants and/or loans to state agencies, community-based non-profit organizations, fire departments, counties, municipalities or subdivisions thereof, or other eligible entities for operating, construction, improvements, equipment, renovation, and/or maintenance expenses associated with public buildings, public lands, community centers, memorials, parks, amphitheaters, museums, recreation centers, fire protection, law enforcement, libraries, senior centers, and cemeteries, in a sum not to exceed $30,000,000.

(B) for payments on bonds issued for economic development projects authorized under Amendment 82 to the Constitution of the State of Arkansas of 1874, in a sum not to exceed $7,000,000.
(C) for funding for grants and/or loans to state agencies, cities, counties, community-based non-profit organizations and other eligible entities to support economic stimulus activities throughout the state, in a sum not to exceed $15,000,000.

(D) for vital infrastructure needs, programs, grants, and/or loans for public buildings, water treatment systems, environmental concerns, energy needs, telecommunications, sewer systems, and cost-effective energy efficient improvements and technologies, in a sum not to exceed $22,000,000.

(E) for Public Safety Grants to eligible entities for personal services, operating expenses, equipment, maintenance, repair and upgrade associated with the provision of fire protection, search and rescue, security enhancement, telecommunications, emergency medical service, and disaster relief and recovery, in a sum not to exceed $10,000,000.

(F) for community improvement grants for equipment, repair, maintenance, construction, renovation, improvement and upgrade of public buildings and facilities, in a sum not to exceed $5,000,000.

(G) for grant matching funds and/or loans to state agencies, cities, counties, community-based non-profit organizations and other eligible entities applying for consideration with a grant funder that requires matching funds for projects, to maximize contributions, provide cash assistance, or match contributions to ensure grant funding or contract, in a sum not to exceed $10,000,000.

(H) for the purpose of providing grants and/or loans to state agencies, cities, counties, community-based non-profit organizations and other entities determined by the Arkansas Economic Development Commission to be eligible to: (1) undertake public works projects and/or job training efforts which support private sector job creation opportunities; (2) alleviate conditions which constitute a threat to public health and wellbeing; (3) partially defray the cost of providing access to publicly owned industrial parks, and/or technology parks; (4) provide for the expansion of the aircraft and aerospace industry; (5) provide for port, rail and waterway economic development projects; (6) provide for technology based economic development projects; (7) provide for industrial site development costs (including, but not limited to land acquisition, construction, renovation, and equipment acquisition); (8) provide for development of intermodal facilities (including, but not limited to port and/or waterway projects, rail spur construction and/or road and...
highway improvement); (9) pay the costs of environmental mitigation projects;
(10) provide for construction and/or improvement of water and sewer systems,
in a sum not to exceed $30,000,000.

(I) for funding for an investment in Arkansas’s workforce through
training incentives for companies located in Arkansas to upgrade skills of
their existing workforce, or for a potential new workforce, and to build
capacity within Arkansas to supply on-going training needs of Arkansas
companies and to increase participation in the State’s school-to-work
initiatives, in a sum not to exceed $3,000,000.

(J) for a transfer to the Economic Development Incentive Quick Action
Closing Fund, for incentives to attract new business and economic development
to the state, in a sum not to exceed $75,000,000.

SECTION 2. APPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM -
CREATE REBATE. There is hereby appropriated, to the Arkansas Economic
Development Commission, to be payable from the Economic Development Incentive
Fund of the Arkansas Economic Development Commission, the following:
(A) for financial incentives to companies locating a new facility or
expanding and existing facility with the State of Arkansas and for companies
that hire and maintain specified levels of employment, as identified in
signed financial agreements with the Arkansas Economic Development
Commission, in a sum not to exceed $37,500,000.

SECTION 3. APPROPRIATION - GRANTS. There is hereby appropriated, to the
Arkansas Economic Development Commission, to be payable from the Development
and Enhancement Fund, the following:
(A) for grants to eligible entities for improvements, construction,
renovation, major maintenance, operating expenses and repairs for airports,
in a sum not to exceed $100,000.

SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
obligations otherwise incurred in relation to the project or projects
described herein in excess of the State Treasury funds actually available
therefor as provided by law. Provided, however, that institutions and
agencies listed herein shall have the authority to accept and use grants and
donations including Federal funds, and to use its unobligated cash income or
funds, or both available to it, for the purpose of supplementing the State Treasury funds for financing the entire costs of the project or projects enumerated herein. Provided further, that the appropriations and funds otherwise provided by the General Assembly for Maintenance and General Operations of the agency or institutions receiving appropriation herein shall not be used for any of the purposes as appropriated in this act.

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

SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2019 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2019 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2019.
/s/Joint Budget Committee

APPROVED: 4/8/19