

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S3/10/99 S3/24/99

A Bill

Act 1381 of 1999
SENATE BILL 529

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR INFRASTRUCTURE
10 PROJECTS, WORKFORCE TRAINING, SMALL BUSINESS LOANS,
11 AND THE ECONOMIC INCENTIVE PROGRAM FOR THE ARKANSAS
12 ECONOMIC DEVELOPMENT COMMISSION FOR THE BIENNIAL
13 PERIOD ENDING JUNE 30, 2001; AND FOR OTHER PURPOSES."

Subtitle

15 "AN ACT FOR THE ARKANSAS ECONOMIC
16 DEVELOPMENT COMMISSION - INFRASTRUCTURE,
17 WORKFORCE TRAINING, SMALL BUSINESS
18 LOANS, AND ECONOMIC INCENTIVE
19 APPROPRIATION FOR THE 1999-2001
20 BIENNIUM."
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby
27 appropriated, to the Arkansas Economic Development Commission, to be payable
28 from the General Improvement Fund or its successor fund or fund accounts, the
29 following:

30 (A) For the purpose of providing grants to cities and counties to provide
31 financial assistance necessary to undertake public works projects or job
32 training which support private sector job creation opportunities, alleviate
33 conditions which constitute a threat to public health, or partially defray the
34 costs of providing access to publicly owned industrial parks, *and for*
35 *expansion of the aircraft and aerospace industry, and for port and waterway*
36 *economic development projects*, the sum of

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1\$40,000,000.

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3 (B) For providing incentives for companies located in Arkansas to upgrade
4 the skills of their existing workforce and to build capacity within our state
5 supported institutions to supply the on-going training needs of Arkansas
6 companies and to increase participation in the state's school-to-work
7 initiatives, the sum of\$5,000,000.

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9 (C) For the purpose of promoting small business growth by providing loans
10 to qualified small businesses on a matching basis, the sum of\$500,000.

11

12 SECTION 2. APPROPRIATIONS - ECONOMIC DEVELOPMENT INCENTIVES. There is
13 hereby appropriated, to the Arkansas Economic Development Commission, to be
14 payable from the Economic Development Incentive Fund of the Arkansas Economic
15 Development Commission, the following:

16 (A) For providing financial incentives to companies locating a new or
17 expanded facility in the State of Arkansas, the sum of\$15,000,000.

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19 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 DISBURSEMENT OF FUNDS. Expenditure of the funds authorized herein shall be
22 made only upon documentation to the Chief Fiscal Officer of the State, in such
23 form as deemed necessary, that all criteria or pre-conditions established in
24 the appropriation act have been met or in the case of state agencies, that a
25 Method of Finance has been filed with the Office of Accounting in the
26 Department of Finance and Administration. Any matching funds as may be
27 provided in law shall be certified to the Chief Fiscal Officer of the State
28 prior to the commencement of the project. Further, any recipient of the funds
29 appropriated herein may be required to file a compliance audit indicating that
30 the use of the funds was in compliance with the intent of the General
31 Assembly.

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33 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
34 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDUSTRIAL
35 ACCESS. The funds appropriated in Item ~~(C)~~(A) of Section 1 and Item (A) of
36 Section 2 of this Act may be used for the following purposes:

1 (a) To supplement other monies available to counties and cities in order to
2 provide up to seventy-five percent (75%) of the matching funds required by the
3 Arkansas Highway and Transportation Department for roads to industrial sites;
4 and

5 (b) to provide up to seventy-five percent (75%) of the cost of transportation
6 access costs to publicly owned industrial parks which are not under the
7 existing program of the Arkansas Highway and Transportation Department. The
8 remaining twenty-five percent (25%) of the costs of the project may be cash or
9 in-kind from the local government as directed by the Commission.

10
11 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
12 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SMALL BUSINESS
13 LOAN MATCHING REQUIREMENTS. The sum appropriated herein for small business
14 loans shall be made available to small businesses on a dollar for dollar
15 matching basis.

16
17 SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
18 obligations otherwise incurred in relation to the project or projects
19 described herein in excess of the State Treasury funds actually available
20 therefor as provided by law. Provided, however, that institutions and
21 agencies listed herein shall have the authority to accept and use grants and
22 donations including Federal funds, and to use its unobligated cash income or
23 funds, or both available to it, for the purpose of supplementing the State
24 Treasury funds for financing the entire costs of the project or projects
25 enumerated herein. Provided further, that the appropriations and funds
26 otherwise provided by the General Assembly for Maintenance and General
27 Operations of the agency or institutions receiving appropriation herein shall
28 not be used for any of the purposes as appropriated in this act.

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

35
36 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly

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

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9 SECTION 8. CODE. All provisions of this Act of a general and permanent
10 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
11 Code Revision Commission shall incorporate the same in the Code.

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13 SECTION 9. SEVERABILITY. If any provision of this act or the application
14 thereof to any person or circumstance is held invalid, such invalidity shall
15 not affect other provisions or applications of the act which can be given
16 effect without the invalid provision or application, and to this end the
17 provisions of this act are declared to be severable.

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19 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict with
20 this act are hereby repealed.

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22 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
23 Eighty-second General Assembly, that the Constitution of the State of Arkansas
24 prohibits the appropriation of funds for more than a two (2) year period; that
25 the effectiveness of this Act on July 1, 1999 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the Regular Session, the delay in the effective
28 date of this Act beyond July 1, 1999 could work irreparable harm upon the
29 proper administration and provision of essential governmental programs.
30 Therefore, an emergency is hereby declared to exist and this Act being
31 necessary for the immediate preservation of the public peace, health and
32 safety shall be in full force and effect from and after July 1, 1999.

33 /s/ Russ
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APPROVED: 4/13/1999