

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
3 Regular Session, 2003
4

A Bill

Act 104 of 2003
SENATE BILL 84

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8 AN ACT TO REAPPROPRIATE THE BALANCES OF
9 APPROPRIATIONS FOR THE DEPARTMENT OF ECONOMIC
10 DEVELOPMENT; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF ECONOMIC
15 DEVELOPMENT REAPPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. REAPPROPRIATION – GENERAL IMPROVEMENT. There is hereby
22 appropriated, to the Department of Economic Development, to be payable from
23 the General Improvement Fund or its successor fund or fund accounts, for the
24 Department of Economic Development, the following:

25 (A) Effective July 1, 2003, the balance of the appropriation provided in
26 Item (A) of Section 1 of Act 498 of 2001, for providing funding for grants to
27 cities and counties to provide the financial assistance necessary to
28 undertake public works projects and/or job training efforts which support
29 private sector job creation opportunities, alleviate conditions which
30 constitute a threat to public health and well being, or partially defray the
31 costs of providing access to publicly owned industrial parks; and for
32 expansion of the aircraft and aerospace industry, and for port and waterway
33 economic development projects, in a sum not to exceed\$15,000,000.

34 (B) Effective July 1, 2003, the balance of the appropriation provided in
35 Item (A) of Section 1 of Act 786 of 2001, for providing incentives for
36 companies located in Arkansas to upgrade the skills of their existing



1 workforce and to build capacity within our state supported institutions to
2 supply the on-going training needs of Arkansas companies and to increase
3 participation in the state’s school-to-work initiatives, in a sum not to
4 exceed\$484,555.

5 (C) Effective July 1, 2003, the balance of the appropriation provided in
6 Item (B) of Section 1 of Act 786 of 2001, for promoting small business growth
7 by providing loans to qualified small businesses on a matching basis, in a
8 sum not to exceed\$300,000.

9 (D) Effective July 1, 2003, the balance of the appropriation provided in
10 Item (A) of Section 5 of Act 104 of 2001, for providing grants to cities and
11 counties to provide financial assistance necessary to undertake public works
12 projects or job training which support private sector jobs creation
13 opportunities, alleviate conditions which constitute a threat to public
14 health, or partially defray the costs of providing access to publicly owned
15 industrial parks, and for expansion of the aircraft and aerospace industry
16 and for port and waterway economic development projects, in a sum not to
17 exceed\$5,428,800.

18 (E) Effective July 1, 2003, the balance of the appropriation provided in
19 Item (B) of Section 5 of Act 104 of 2001, for providing incentives for
20 companies located in Arkansas to upgrade the skills of their existing
21 workforce and to build capacity within our state supported institutions to
22 supply the on-going training needs of Arkansas companies and to increase
23 participation in the state’s school-to-work initiatives, in a sum not to
24 exceed\$2,353.

25 (F) Effective July 1, 2003, the balance of the appropriation provided in
26 Item (C) of Section 5 of Act 104 of 2001, for the purpose of promoting small
27 business growth by providing loans to qualified small businesses on a
28 matching basis, in a sum not to exceed\$332,500.

29 (G) Effective July 1, 2003, the balance of the appropriation provided in
30 Item (A) of Section 6 of Act 104 of 2001, for infrastructure improvements in
31 the City of Arkadelphia, in a sum not to exceed\$600,000.
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33 SECTION 2. REAPPROPRIATION – PUBLIC ROADS IMPROVEMENTS. There is hereby
34 appropriated, to the Department of Economic Development, to be payable from
35 the Public Roads Incentive Fund, for the Department of Economic Development,
36 the following:

1 (A) Effective July 1, 2003, the balance of the appropriation provided in
2 Section 2 of Act 786 of 2001, for the Arkansas Public Roads Improvements
3 Credit Act - a program to encourage private participation in public roads
4 projects with an income tax credit, in a sum not to exceed\$1,000,000.
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6 SECTION 3. REAPPROPRIATION - ECONOMIC DEVELOPMENT AND INCENTIVE PROGRAM.

7 There is hereby appropriated, to the Department of Economic Development, to
8 be payable from the Economic Development Incentive Fund of the Arkansas
9 Economic Development Commission, for the Department of Economic Development,
10 the following:

11 (A) Effective July 1, 2003, the balance of the appropriation provided in
12 Item (A) of Section 3 of Act 104 of 2001, for providing financial incentives
13 to companies locating a new or expanded facility in the State of Arkansas, in
14 a sum not to exceed\$156,820.

15 (B) Effective July 1, 2003, the balance of the appropriation provided in
16 Item (A) of Section 1 of Act 104 of 2001, for providing grants and aid as
17 financial incentives to companies locating a new or expanded facility in the
18 State of Arkansas, in a sum not to exceed\$12,255,380.
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20 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
22 FUNDS. Appropriation and funds provided by Act 1381 of 1999 may be also be
23 used to assist communities in maintaining healthcare facilities.

24 The provisions of this section shall be in effect only from July 1, 2003
25 through June 30, 2005.
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27 SECTION 5. 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 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
11 that any funds disbursed under the authority of the appropriations contained
12 in this act shall be in compliance with the stated reasons for which this act
13 was adopted, as evidenced by the Agency Requests, Executive Recommendations
14 and Legislative Recommendations contained in the budget manuals prepared by
15 the Department of Finance and Administration, letters, or summarized oral
16 testimony in the official minutes of the Arkansas Legislative Council or
17 Joint Budget Committee which relate to its passage and adoption.

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19 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
20 Assembly, that the Constitution of the State of Arkansas prohibits the
21 appropriation of funds for more than a two (2) year period; that previous
22 General Assemblies have provided appropriations for the projects provided or
23 enumerated in this act; that certain appropriations will expire before the
24 adjournment of the General Assembly; and that if such appropriations expire,
25 the projects and programs authorized herein will cease thereby depriving the
26 citizens of the State of the benefits to be derived from such projects.
27 Therefore, an emergency is hereby declared to exist and this Act being
28 necessary for the immediate preservation of the public peace, health and
29 safety shall be in full force and effect from and after July 1, 2003.

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32 APPROVED: 2/13/2003
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