

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.

Act 2112 of the Regular Session

As Engrossed: S4/5/05 S4/7/05

A Bill

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

SENATE BILL 297

5 By: Joint Budget Committee

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
10 OF ECONOMIC DEVELOPMENT FOR CAPITAL CONSTRUCTION
11 PROJECTS; AND FOR OTHER PURPOSES.

Subtitle

15 AN ACT FOR THE DEPARTMENT OF ECONOMIC
16 DEVELOPMENT - CAPITAL CONSTRUCTION
17 PROJECTS GENERAL IMPROVEMENT
18 APPROPRIATION.

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

23 SECTION 1. APPROPRIATIONS - GRANTS TO CITIES AND COUNTIES AND WORKFORCE
24 DEVELOPMENT. There is hereby appropriated, to the Department of Economic
25 Development, to be payable from the General Improvement Fund or its successor
26 fund or fund accounts, the following:

27 (A) For providing funding for grants to cities and counties to provide
28 financial assistance necessary to undertake public works projects and/or job
29 training efforts which support private sector job creation opportunities,
30 alleviate conditions which constitute a threat to public health and well
31 being, or partially defray the costs of providing access to publicly owned
32 industrial parks; and for expansion of the aircraft and aerospace industry,
33 and for port and waterway economic development projects, the sum of
34\$20,000,000.

35 (B) For providing funding for incentives for companies located in Arkansas



1 to upgrade skills of their existing workforce and to build capacity within
2 our state supported institutions to supply the on-going training needs of
3 Arkansas companies and to increase participation in the state's school-to-
4 work initiatives, the sum of\$2,500,000.
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6 SECTION 2. APPROPRIATIONS - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM -
7 CREATE REBATE. There is hereby appropriated, to the Department of Economic
8 Development, to be payable from the Economic Development Incentive Fund of
9 the Arkansas Economic Development Commission, the following:

10 (A) For providing financial incentives to companies locating a new
11 facility or expanding an existing facility within the State of Arkansas and
12 for reimbursement to companies that hire and maintain specified levels of
13 employment, the sum of\$40,000,000.
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15 SECTION 3. APPROPRIATION - GRANT TO THE UNIVERSITY OF ARKANSAS AT LITTLE
16 ROCK - NANOTECHNOLOGY. There is hereby appropriated, to the Department of
17 Economic Development, to be payable from the General Improvement Fund or its
18 successor fund or fund accounts, the following:

19 (A) For providing funding for a grant to the University of Arkansas at
20 Little Rock for research and projects associated with the study and
21 application of nanotechnology, the sum of\$5,900,000.
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23 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
25 NANOTECHNOLOGY CONTRACTS. In order to ensure the states investment in
26 nanotechnology, the Department of Economic Development and the University of
27 Arkansas at Little Rock shall enter into an interagency agreement that
28 provides safeguards for the ongoing related research and projects involving
29 the study and application of nanotechnology. The interagency agreement and
30 any contractual agreement(s) that may be made between the University of
31 Arkansas at Little Rock and the Nanotechnology research team shall be
32 reviewed by the Office of Attorney General prior to the execution of said
33 agreements, before any funds may be disbursed by the Department of Economic
34 Development to the University of Arkansas at Little Rock for nanotechnology.
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36 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor

1 obligations otherwise incurred in relation to the project or projects
2 described herein in excess of the State Treasury funds actually available
3 therefor as provided by law. Provided, however, that institutions and
4 agencies listed herein shall have the authority to accept and use grants and
5 donations including Federal funds, and to use its unobligated cash income or
6 funds, or both available to it, for the purpose of supplementing the State
7 Treasury funds for financing the entire costs of the project or projects
8 enumerated herein. Provided further, that the appropriations and funds
9 otherwise provided by the General Assembly for Maintenance and General
10 Operations of the agency or institutions receiving appropriation herein shall
11 not be used for any of the purposes as appropriated in this act.

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

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19 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
20 that any funds disbursed under the authority of the appropriations contained
21 in this act shall be in compliance with the stated reasons for which this act
22 was adopted, as evidenced by the Agency Requests, Executive Recommendations
23 and Legislative Recommendations contained in the budget manuals prepared by
24 the Department of Finance and Administration, letters, or summarized oral
25 testimony in the official minutes of the Arkansas Legislative Council or
26 Joint Budget Committee which relate to its passage and adoption.

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28 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
29 Assembly, that the Constitution of the State of Arkansas prohibits the
30 appropriation of funds for more than a two (2) year period; that the
31 effectiveness of this Act on July 1, 2005 is essential to the operation of
32 the agency for which the appropriations in this Act are provided, and that in
33 the event of an extension of the Regular Session, the delay in the effective
34 date of this Act beyond July 1, 2005 could work irreparable harm upon the
35 proper administration and provision of essential governmental programs.
36 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and
2 safety shall be in full force and effect from and after July 1, 2005.

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4 */s/ Joint Budget Committee*

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7 *APPROVED: 4/13/2005*
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