

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012  
4

# A Bill

HOUSE BILL 1019

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.

## Subtitle

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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, 2012, the balance of the appropriation provided  
24 in Item (A) Section 9 of Act 544 of 2011, 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, 2012, the balance of the appropriation provided  
33 in Item (A) Section 2 of Act 436 of 2011, 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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SECTION 3. REAPPROPRIATION - FEDERAL FUNDS. There is hereby appropriated, to the Economic Development Commission, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for the Economic Development Commission the following:

(A) Effective July 1, 2012, the balance of the appropriation provided in Item (A) Section 4 of Act 52 of 2011, for grants for construction, operating expenses, personal services and equipment for railroad reclamation, in a sum not to exceed.....\$1,000,000.

SECTION 4. REAPPROPRIATION - GENERAL IMPROVEMENT FUNDS. There is hereby appropriated, to the Economic Development Commission, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Economic Development Commission the following:

(A) Effective July 1, 2012, the balance of the appropriation provided in Item (C) Section 1 of Act 52 of 2011, for the promotion of the movie/film office for the production of full length movies in the State of Arkansas, in a sum not to exceed.....\$8,683.

(B) Effective July 1, 2012, the balance of the appropriation provided in Item (B) Section 1 of Act 52 of 2011, for providing funding for grants to cities and counties to provide financial assistance necessary to undertake public works projects and/or job training efforts which support private sector job creation opportunities, alleviate conditions which constitute a threat to public health and well being, or partially defray the costs of providing access to publicly owned industrial parks; and for grants and/or loans for the expansion of the aircraft and aerospace industry; and for grants and/or loans for port and waterway economic development projects; and for grants and/or loans to support technology based economic development projects, in a sum not to exceed.....\$2,025,490.

(C) Effective July 1, 2012, the balance of the appropriation provided in Item (N) Section 1 of Act 52 of 2011, for providing funding for grants to cities and counties to provide financial assistance necessary to undertake public works projects and/or job training efforts which support private sector job creation opportunities, alleviate conditions which constitute a threat to public health and well-being, or partially defray the costs of providing access to publicly owned industrial parks; and for grants and/or

1 loans for the expansion of the aircraft and aerospace industry; and for  
2 grants and/or loans to support technology based economic development  
3 projects, in a sum not to exceed.....\$2,727,840.

4 (D) Effective July 1, 2012, the balance of the appropriation provided  
5 in Item (P) Section 1 of Act 52 of 2011, for providing funding and  
6 appropriation for an investment in Arkansas' workforce through training  
7 incentives for companies located in Arkansas to upgrade skills of their  
8 existing workforce, or for a potential new workforce, and to build capacity  
9 within Arkansas to supply on-going training needs of Arkansas companies and  
10 to increase participation in the State's school-to-work initiatives, in a sum  
11 not to exceed.....\$1,459,104.

12 (E) Effective July 1, 2012, the balance of the appropriation provided  
13 in Item (T) Section 1 of Act 52 of 2011, for grants to cities, counties,  
14 planning and development districts, and other eligible entities for land  
15 acquisition, improvements, construction, renovation, major maintenance, and  
16 purchase of equipment, industrial site development costs including,  
17 construction, renovation, and equipment acquisition, development of  
18 intermodal facilities, including port and waterway projects, rail spur  
19 construction and road and highway improvements, environmental mitigation  
20 projects, and construction and improvement of water and sewer systems, in a  
21 sum not to exceed.....\$88,750.

22 (F) Effective July 1, 2012, the balance of the appropriation provided  
23 in Item (H) Section 1 of Act 52 of 2011, for grants to cities, counties,  
24 planning and development districts, and other eligible entities for land  
25 acquisition, improvements, construction, renovation, major maintenance, and  
26 purchase of equipment, industrial site development costs including,  
27 construction, renovation, and equipment acquisition, development of  
28 intermodal facilities, including port and waterway projects, rail spur  
29 construction and road and highway improvements, environmental mitigation  
30 projects, and construction and improvement of water and sewer systems, in a  
31 sum not to exceed.....\$3,000.

32 (G) Effective July 1, 2012, the balance of the appropriation provided  
33 in Item (D) Section 1 of Act 52 of 2011, for grants to cities, counties,  
34 planning and development districts, and other eligible entities for land  
35 acquisition, improvements, construction, renovation, major maintenance, and  
36 purchase of equipment, industrial site development costs including,

1 construction, renovation, and equipment acquisition, development of  
2 intermodal facilities, including port and waterway projects, rail spur  
3 construction and road and highway improvements, environmental mitigation  
4 projects, and construction and improvement of water and sewer systems, in a  
5 sum not to exceed.....\$24,000.

6 (H) Effective July 1, 2012, the balance of the appropriation provided  
7 in Item (E) Section 1 of Act 52 of 2011, for grants to cities, counties,  
8 planning and development districts, and other eligible entities for land  
9 acquisition, improvements, construction, renovation, major maintenance, and  
10 purchase of equipment, industrial site development costs including,  
11 construction, renovation, and equipment acquisition, development of  
12 intermodal facilities, including port and waterway projects, rail spur  
13 construction, and road and highway improvements, environmental mitigation  
14 projects, and construction and improvement of water and sewer systems, in a  
15 sum not to exceed.....\$45,000.

16 (I) Effective July 1, 2012, the balance of the appropriation provided  
17 in Item (F) Section 1 of Act 52 of 2011, 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.....\$16,250.

26 (J) Effective July 1, 2012, the balance of the appropriation provided  
27 in Item (G) Section 1 of Act 52 of 2011, for grants to cities, counties,  
28 planning and development districts, and other eligible entities for land  
29 acquisition, improvements, construction, renovation, major maintenance, and  
30 purchase of equipment, industrial site development costs including,  
31 construction, renovation, and equipment acquisition, development of  
32 intermodal facilities, including port and waterway projects, rail spur  
33 construction and road and highway improvements, environmental mitigation  
34 projects and construction and improvement of water and sewer systems, in a  
35 sum not to exceed.....\$5,000.

36 (K) Effective July 1, 2012, the balance of the appropriation provided

1 in Item (I) Section 1 of Act 52 of 2011, for grants to cities, counties,  
2 planning and development districts, and other eligible entities for land  
3 acquisition, improvements, construction, renovation, major maintenance, and  
4 purchase of equipment, industrial site development costs including,  
5 construction, renovation, and equipment acquisition, development of  
6 intermodal facilities, including port and waterway projects, rail spur  
7 construction and road and highway improvements, environmental mitigation  
8 projects, and construction and improvement of water and sewer systems, in a  
9 sum not to exceed.....\$20,000.

10 (L) Effective July 1, 2012, the balance of the appropriation provided  
11 in Item (A) Section 1 of Act 684 of 2011, for a grant to support the  
12 development and implementation of regional intermodal freight facilities and  
13 operations, in a sum not to exceed.....\$900,000.

14 (M) Effective July 1, 2012, the balance of the appropriation provided  
15 in Item (A) Section 1 of Act 476 of 2011, for a grant for a statewide  
16 membership-based nonprofit association for continued development to promote  
17 and support statewide capacity building and nonprofit workforce development  
18 through technical assistance for organizational development, products and  
19 services to improve efficiency, and a network for professional and  
20 organizational engagement, in a sum not to exceed.....\$125,000.

21 (N) Effective July 1, 2012, the balance of the appropriation provided  
22 in Item (A) Section 1 of Act 483 of 2011, for grants to Arkansas Planning and  
23 Development Districts for land acquisition, improvements, construction,  
24 renovation, major maintenance, and purchase of equipment, industrial site  
25 development costs including, construction, renovation, and equipment  
26 acquisition, development of intermodal facilities, including port and  
27 waterway projects, rail spur construction and road and highway improvements,  
28 environmental mitigation projects, and construction and improvement of water  
29 and sewer systems, in a sum not to exceed.....\$100,000.

30 (O) Effective July 1, 2012, the balance of the appropriation provided  
31 in Item (A) Section 1 of Act 411 of 2011, for grants to cities, counties,  
32 planning and development districts, and other eligible entities for land  
33 acquisition, improvements, construction, renovation, major maintenance, and  
34 purchase of equipment, industrial site development costs including,  
35 construction, renovation, and equipment acquisition, development of  
36 intermodal facilities, including port and waterway projects, rail spur

1 construction and road and highway improvements, environmental mitigation  
2 projects, and construction and improvement of water and sewer systems, in a  
3 sum not to exceed.....\$300,000.

4 (P) Effective July 1, 2012, the balance of the appropriation provided  
5 in Item (A) Section 1 of Act 667 of 2011, for grants to cities, counties,  
6 planning and development districts, and other eligible entities for land  
7 acquisition, improvements, construction, renovation, major maintenance, and  
8 purchase of equipment, industrial site development costs including,  
9 construction, renovation, and equipment acquisition, development of  
10 intermodal facilities, including port and waterway projects, rail spur  
11 construction and road and highway improvements, environmental mitigation  
12 projects, and construction and improvement of water and sewer systems, in a  
13 sum not to exceed.....\$200,000.

14 (Q) Effective July 1, 2012, the balance of the appropriation provided  
15 in Item (A) Section 1 of Act 395 of 2011, for grants to non-profit  
16 organizations and other eligible entities for personal services, operating  
17 expenses, maintenance, equipment and improvements for after school and youth  
18 programs, in a sum not to exceed.....\$100,000.

19 (R) Effective July 1, 2012, the balance of the appropriation provided  
20 in Item (A) Section 1 of Act 544 of 2011, for a transfer to the Economic  
21 Development Incentive Quick Action Closing Fund, for incentives to attract  
22 new business and economic development to the State, in a sum not to  
23 exceed.....\$50,000,000.

24 (S) Effective July 1, 2012, the balance of the appropriation provided  
25 in Item (A) Section 3 of Act 544 of 2011, for funding for grants and/or loans  
26 to state agencies, cities, counties, community-based non-profit organizations  
27 and other eligible entities to undertake public works projects and/or job  
28 training efforts which support private sector job creation opportunities,  
29 alleviate conditions which constitute a threat to public health and well  
30 being, or partially defray the costs of providing access to publicly owned  
31 industrial parks, and/or technology parks; and to provide grants and/or loans  
32 for the expansion of the aircraft and aerospace industry; and for grants  
33 and/or loans for port and waterway economic development projects; and for  
34 grants and/or loans for technology based economic development projects; and  
35 for grants and/or loans for industrial site development costs (including, but  
36 not limited to land acquisition, construction, renovation, and equipment

1 acquisition); and for development of intermodal facilities (including, but  
2 not limited to port and waterway projects, rail spur construction and road  
3 and highway improvements); and for grants and/or loans to pay the costs of  
4 environmental mitigation projects; and for construction and/or improvement of  
5 water and sewer systems, in a sum not to exceed.....\$20,000,000.

6 (T) Effective July 1, 2012, the balance of the appropriation provided  
7 in Item (A) Section 5 of Act 544 of 2011, for funding for an investment in  
8 Arkansas' workforce through training incentives for companies located in  
9 Arkansas to upgrade skills of their existing workforce, or for a potential  
10 new workforce, and to build capacity within Arkansas to supply on-going  
11 training needs of Arkansas companies and to increase participation in the  
12 State's school-to-work initiatives, in a sum not to exceed.....\$3,000,000.

13 (U) Effective July 1, 2012, the balance of the appropriation provided  
14 in Item (A) Section 6 of Act 544 of 2011, for a transfer to the Innovate  
15 Arkansas Fund to provide assistance to start-up technology oriented  
16 businesses, in a sum not to exceed.....\$3,000,000.

17 (V) Effective July 1, 2012, the balance of the appropriation provided  
18 in Item (A) Section 8 of Act 544 of 2011, for allocation by the Executive  
19 Director of the Arkansas Economic Development Commission for activities  
20 associated with the implementation of the State's strategic plan for economic  
21 development, in a sum not to exceed.....\$500,000.

22 (W) Effective July 1, 2012, the balance of the appropriation provided  
23 in Item (A) Section 1 of Act 436 of 2011, for grants to cities, counties,  
24 planning and development districts, and other eligible entities for land  
25 acquisition, improvements, construction, renovation, major maintenance, and  
26 purchase of equipment, industrial site development costs including,  
27 construction, renovation, and equipment acquisition, development of  
28 intermodal facilities, including port and waterway projects, rail spur  
29 construction and road and highway improvements, environmental mitigation  
30 projects, and construction and improvement of water and sewer systems, in a  
31 sum not to exceed.....\$200,000.  
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33 SECTION 5. REAPPROPRIATION - INNOVATE ARKANSAS. There is hereby  
34 appropriated, to the Economic Development Commission, to be payable from the  
35 Innovate Arkansas Fund, for the Economic Development Commission the  
36 following:

1 (A) Effective July 1, 2012, the balance of the appropriation provided  
2 in Item (A) Section 7 of Act 544 of 2011, for providing assistance to start-  
3 up technology oriented businesses, in a sum not to exceed.....\$3,000,000.  
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5 SECTION 6. REAPPROPRIATION - QUICK ACTION CLOSING FUND. There is  
6 hereby appropriated, to the Economic Development Commission, to be payable  
7 from the Economic Development Incentive Quick Action Closing Fund, for the  
8 Economic Development Commission the following:

9 (A) Effective July 1, 2012, the balance of the appropriation provided  
10 in Section 2 of Act 544 of 2011, for incentives to attract new business and  
11 economic development to the State for the fiscal year ending June 30, 2013,  
12 in a sum not to exceed.....\$50,000,000.

13 (B) Effective July 1, 2012, the balance of the appropriation provided  
14 in Item (A) Section 3 of Act 52 of 2011, for investment incentives to attract  
15 new business and economic development to the state, in a sum not to exceed  
16 .....\$1,386,531.

17 (C) Effective July 1, 2012, the balance of the appropriation provided  
18 in Item (B) Section 3 of Act 52 of 2011, for incentives to attract new  
19 business and economic development to the state, in a sum not to exceed  
20 .....\$49,961,527.  
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22 SECTION 7. REAPPROPRIATION - MINORITY BUSINESS LOAN MOBILIZATION  
23 PROGRAM. There is hereby appropriated, to the Economic Development  
24 Commission, to be payable from the Minority Loan Mobilization Revolving Fund,  
25 for the Economic Development Commission the following:

26 (A) Effective July 1, 2012, the balance of the appropriation provided  
27 in Item (A) Section 5 of Act 52 of 2011, for promoting the development of  
28 minority business enterprises in the State, increasing the ability of  
29 minority business enterprises to compete for state contracts, and sustaining  
30 the economic growth of minority business enterprises in the State, in a sum  
31 not to exceed.....\$296,573.  
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33 SECTION 8. REAPPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM.  
34 There is hereby appropriated, to the Economic Development Commission, to be  
35 payable from the Economic Development Incentive Fund of the Arkansas Economic  
36 Development Commission, for the Economic Development Commission the



1 following:

2 (A) Effective July 1, 2012, the balance of the appropriation provided  
3 in Item (A) Section 4 of Act 544 of 2011, for financial incentives to  
4 companies locating a new facility or expanding an existing facility within  
5 the state of Arkansas and for companies that hire and maintain specified  
6 levels of employment, as identified in signed financial agreements, in a sum  
7 not to exceed.....\$37,500,000.

8 (B) Effective July 1, 2012, the balance of the appropriation provided  
9 in Item (A) Section 2 of Act 52 of 2011, for providing financial incentives  
10 to companies locating a new facility or expanding an existing facility within  
11 the State of Arkansas and for companies that hire and maintain specified  
12 levels of employment, as identified in signed financial incentive agreements,  
13 in a sum not to exceed.....\$32,134,653.

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15 SECTION 9. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
16 obligations otherwise incurred in relation to the project or projects  
17 described herein in excess of the State Treasury funds actually available  
18 therefor as provided by law. Provided, however, that institutions and  
19 agencies listed herein shall have the authority to accept and use grants and  
20 donations including Federal funds, and to use its unobligated cash income or  
21 funds, or both available to it, for the purpose of supplementing the State  
22 Treasury funds for financing the entire costs of the project or projects  
23 enumerated herein. Provided further, that the appropriations and funds  
24 otherwise provided by the General Assembly for Maintenance and General  
25 Operations of the agency or institutions receiving appropriation herein shall  
26 not be used for any of the purposes as appropriated in this act.

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

34

35 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General  
36 Assembly that any funds disbursed under the authority of the appropriations

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

8 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the  
9 General Assembly, that the Constitution of the State of Arkansas prohibits  
10 the appropriation of funds for more than a one (1) year period; that the  
11 effectiveness of this Act on July 1, 2012 is essential to the operation of  
12 the agency for which the appropriations in this Act are provided, and that in  
13 the event of an extension of the legislative session, the delay in the  
14 effective date of this Act beyond July 1, 2012 could work irreparable harm  
15 upon the proper administration and provision of essential governmental  
16 programs. Therefore, an emergency is hereby declared to exist and this Act  
17 being necessary for the immediate preservation of the public peace, health  
18 and safety shall be in full force and effect from and after July 1, 2012.  
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21 **APPROVED: 02/21/2012**  
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