

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1331

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.
11

Subtitle

12
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, 2013, the balance of the appropriation provided
24 in Item (A) Section 1 of Act 15 of 2012, 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.
27

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, 2013, the balance of the appropriation provided
33 in Item (A) Section 2 of Act 15 of 2012, 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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2 SECTION 3. REAPPROPRIATION - FEDERAL FUNDS. There is hereby
3 appropriated, to the Economic Development Commission, to be payable from the
4 federal funds as designated by the Chief Fiscal Officer of the State, for the
5 Economic Development Commission the following:

6 (A) Effective July 1, 2013, the balance of the appropriation provided
7 in Item (A) Section 3 of Act 15 of 2012, for grants for construction,
8 operating expenses, personal services and equipment for railroad reclamation,
9 in a sum not to exceed.....\$1,000,000.

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11 SECTION 4. REAPPROPRIATION - QUICK ACTION CLOSING FUND. There is
12 hereby appropriated, to the Economic Development Commission, to be payable
13 from the Economic Development Incentive Quick Action Closing Fund, for the
14 Economic Development Commission the following:

15 (A) Effective July 1, 2013, the balance of the appropriation provided
16 in Item (A) Section 6 of Act 15 of 2012, for incentives to attract new
17 business and economic development to the State, in a sum not to exceed
18\$50,000,000.

19 (B) Effective July 1, 2013, the balance of the appropriation provided
20 in Item (C) Section 6 of Act 15 of 2012, for incentives to attract new
21 business and economic development to the State, in a sum not to exceed
22\$37,542,778.

23
24 SECTION 5. REAPPROPRIATION - INNOVATE ARKANSAS. There is hereby
25 appropriated, to the Economic Development Commission, to be payable from the
26 Innovate Arkansas Fund, for the Economic Development Commission the
27 following:

28 (A) Effective July 1, 2013, the balance of the appropriation provided
29 in Item (A) Section 5 of Act 15 of 2012, for providing assistance to start-up
30 technology oriented businesses, in a sum not to exceed.....\$1,375,001.

31
32 SECTION 6. REAPPROPRIATION - MOVIE/FILM OFFICE. There is hereby
33 appropriated, to the Economic Development Commission, to be payable from the
34 General Improvement Fund or its successor fund or fund accounts, for the
35 Economic Development Commission - Movie/Film Office the following:

36 (A) Effective July 1, 2013, the balance of the appropriation provided

1 in Item (A) Section 4 of Act 15 of 2012, for the promotion of the movie/film
2 office for the production of full length movies in the State of Arkansas, in
3 a sum not to exceed.....\$8,683.
4

5 SECTION 7. REAPPROPRIATION - MINORITY BUSINESS LOAN MOBILIZATION
6 PROGRAM. There is hereby appropriated, to the Economic Development
7 Commission, to be payable from the Minority Loan Mobilization Revolving Fund,
8 for the Economic Development Commission the following:

9 (A) Effective July 1, 2013, the balance of the appropriation provided
10 in Item (A) Section 7 of Act 15 of 2012, for promoting the development of
11 minority business enterprises in the State, increasing the ability of
12 minority business enterprises to compete for state contracts, and sustaining
13 the economic growth of minority business enterprises in the State, in a sum
14 not to exceed.....\$296,573.
15

16 SECTION 8. REAPPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM.
17 There is hereby appropriated, to the Economic Development Commission, to be
18 payable from the Economic Development Incentive Fund of the Arkansas Economic
19 Development Commission, for the Economic Development Commission the
20 following:

21 (A) Effective July 1, 2013, the balance of the appropriation provided
22 in Item (A) Section 8 of Act 15 of 2012, for financial incentives to
23 companies locating a new facility or expanding an existing facility within
24 the state of Arkansas and for companies that hire and maintain specified
25 levels of employment, as identified in signed financial agreements, in a sum
26 not to exceed.....\$37,500,000.

27 (B) Effective July 1, 2013, the balance of the appropriation provided
28 in Item (B) Section 8 of Act 15 of 2012, for providing financial incentives
29 to companies locating a new facility or expanding an existing facility within
30 the State of Arkansas and for companies that hire and maintain specified
31 levels of employment, as identified in signed financial incentive agreements,
32 in a sum not to exceed.....\$16,447,407.
33

34 SECTION 9. REAPPROPRIATION - GENERAL IMPROVEMENT FUNDS. There is
35 hereby appropriated, to the Economic Development Commission, to be payable
36 from the General Improvement Fund or its successor fund or fund accounts, for

1 the Economic Development Commission the following:

2 (A) Effective July 1, 2013, the balance of the appropriation provided
3 in Item (B) Section 4 of Act 15 of 2012, for providing funding for grants to
4 cities and counties to provide financial assistance necessary to undertake
5 public works projects and/or job training efforts which support private
6 sector job creation opportunities, alleviate conditions which constitute a
7 threat to public health and well being, or partially defray the costs of
8 providing access to publicly owned industrial parks; and for grants and/or
9 loans for the expansion of the aircraft and aerospace industry; and for
10 grants and/or loans for port and waterway economic development projects; and
11 for grants and/or loans to support technology based economic development
12 projects, in a sum not to exceed.....\$1,836,846.

13 (B) Effective July 1, 2013, the balance of the appropriation provided
14 in Item (C) Section 4 of Act 15 of 2012, for providing funding for grants to
15 cities and counties to provide financial assistance necessary to undertake
16 public works projects and/or job training efforts which support private
17 sector job creation opportunities, alleviate conditions which constitute a
18 threat to public health and well-being, or partially defray the costs of
19 providing access to publicly owned industrial parks; and for grants and/or
20 loans for the expansion of the aircraft and aerospace industry; and for
21 grants and/or loans to support technology based economic development
22 projects, in a sum not to exceed.....\$1,767,738.

23 (C) Effective July 1, 2013, the balance of the appropriation provided
24 in Item (D) Section 4 of Act 15 of 2012, for providing funding and
25 appropriation for an investment in Arkansas' workforce through training
26 incentives for companies located in Arkansas to upgrade skills of their
27 existing workforce, or for a potential new workforce, and to build capacity
28 within Arkansas to supply on-going training needs of Arkansas companies and
29 to increase participation in the State's school-to-work initiatives, in a sum
30 not to exceed.....\$704,522.

31 (D) Effective July 1, 2013, the balance of the appropriation provided
32 in Item (E) Section 4 of Act 15 of 2012, for grants to cities, counties,
33 planning and development districts, and other eligible entities for land
34 acquisition, improvements, construction, renovation, major maintenance, and
35 purchase of equipment, industrial site development costs including,
36 construction, renovation, and equipment acquisition, development of

1 intermodal facilities, including port and waterway projects, rail spur
2 construction and road and highway improvements, environmental mitigation
3 projects, and construction and improvement of water and sewer systems, in a
4 sum not to exceed.....\$88,750.

5 (E) Effective July 1, 2013, the balance of the appropriation provided
6 in Item (F) Section 4 of Act 15 of 2012, for grants to cities, counties,
7 planning and development districts, and other eligible entities for land
8 acquisition, improvements, construction, renovation, major maintenance, and
9 purchase of equipment, industrial site development costs including,
10 construction, renovation, and equipment acquisition, development of
11 intermodal facilities, including port and waterway projects, rail spur
12 construction and road and highway improvements, environmental mitigation
13 projects, and construction and improvement of water and sewer systems, in a
14 sum not to exceed.....\$3,000.

15 (F) Effective July 1, 2013, the balance of the appropriation provided
16 in Item (G) Section 4 of Act 15 of 2012, for grants to cities, counties,
17 planning and development districts, and other eligible entities for land
18 acquisition, improvements, construction, renovation, major maintenance, and
19 purchase of equipment, industrial site development costs including,
20 construction, renovation, and equipment acquisition, development of
21 intermodal facilities, including port and waterway projects, rail spur
22 construction and road and highway improvements, environmental mitigation
23 projects, and construction and improvement of water and sewer systems, in a
24 sum not to exceed.....\$18,000.

25 (G) Effective July 1, 2013, the balance of the appropriation provided
26 in Item (H) Section 4 of Act 15 of 2012, for grants to cities, counties,
27 planning and development districts, and other eligible entities for land
28 acquisition, improvements, construction, renovation, major maintenance, and
29 purchase of equipment, industrial site development costs including,
30 construction, renovation, and equipment acquisition, development of
31 intermodal facilities, including port and waterway projects, rail spur
32 construction, and road and highway improvements, environmental mitigation
33 projects, and construction and improvement of water and sewer systems, in a
34 sum not to exceed.....\$45,000.

35 (H) Effective July 1, 2013, the balance of the appropriation provided
36 in Item (I) Section 4 of Act 15 of 2012, grants to cities, counties, planning

1 and development districts and other eligible entities for land acquisition,
 2 improvements, construction, renovation, major maintenance, and purchase of
 3 equipment, industrial site development costs including, construction,
 4 renovation, and equipment acquisition, development of intermodal facilities,
 5 including port and waterway projects, rail spur construction and road and
 6 highway improvements, environmental mitigation projects, and construction and
 7 improvement of water and sewer systems, in a sum not to exceed
 8\$16,250.

9 (I) Effective July 1, 2013, the balance of the appropriation provided
 10 in Item (J) Section 4 of Act 15 of 2012, for grants to cities, counties,
 11 planning and development districts, and other eligible entities for land
 12 acquisition, improvements, construction, renovation, major maintenance, and
 13 purchase of equipment, industrial site development costs including,
 14 construction, renovation, and equipment acquisition, development of
 15 intermodal facilities, including port and waterway projects, rail spur
 16 construction and road and highway improvements, environmental mitigation
 17 projects and construction and improvement of water and sewer systems, in a
 18 sum not to exceed.....\$5,000.

19 (J) Effective July 1, 2013, the balance of the appropriation provided
 20 in Item (K) Section 4 of Act 15 of 2012, for grants to cities, counties,
 21 planning and development districts, and other eligible entities for land
 22 acquisition, improvements, construction, renovation, major maintenance, and
 23 purchase of equipment, industrial site development costs including,
 24 construction, renovation, and equipment acquisition, development of
 25 intermodal facilities, including port and waterway projects, rail spur
 26 construction and road and highway improvements, environmental mitigation
 27 projects, and construction and improvement of water and sewer systems, in a
 28 sum not to exceed.....\$20,000.

29 (K) Effective July 1, 2013, the balance of the appropriation provided
 30 in Item (O) Section 4 of Act 15 of 2012, for grants to cities, counties,
 31 planning and development districts, and other eligible entities for land
 32 acquisition, improvements, construction, renovation, major maintenance, and
 33 purchase of equipment, industrial site development costs including,
 34 construction, renovation, and equipment acquisition, development of
 35 intermodal facilities, including port and waterway projects, rail spur
 36 construction and road and highway improvements, environmental mitigation

1 projects, and construction and improvement of water and sewer systems, in a
2 sum not to exceed.....\$5,000.

3 (L) Effective July 1, 2013, the balance of the appropriation provided
4 in Item (P) Section 4 of Act 15 of 2012, for grants to cities, counties,
5 planning and development districts, and other eligible entities for land
6 acquisition, improvements, construction, renovation, major maintenance, and
7 purchase of equipment, industrial site development costs including,
8 construction, renovation, and equipment acquisition, development of
9 intermodal facilities, including port and waterway projects, rail spur
10 construction and road and highway improvements, environmental mitigation
11 projects, and construction and improvement of water and sewer systems, in a
12 sum not to exceed.....\$20,000.

13 (M) Effective July 1, 2013, the balance of the appropriation provided
14 in Item (R) Section 4 of Act 15 of 2012, for a transfer to the Economic
15 Development Incentive Quick Action Closing Fund, for incentives to attract
16 new business and economic development to the State, in a sum not to
17 exceed.....\$50,000,000.

18 (N) Effective July 1, 2013, the balance of the appropriation provided
19 in Item (S) Section 4 of Act 15 of 2012, for funding for grants and/or loans
20 to state agencies, cities, counties, community-based non-profit organizations
21 and other eligible entities to undertake public works projects and/or job
22 training efforts which support private sector job creation opportunities,
23 alleviate conditions which constitute a threat to public health and well
24 being, or partially defray the costs of providing access to publicly owned
25 industrial parks, and/or technology parks; and to provide grants and/or loans
26 for the expansion of the aircraft and aerospace industry; and for grants
27 and/or loans for port and waterway economic development projects; and for
28 grants and/or loans for technology based economic development projects; and
29 for grants and/or loans for industrial site development costs (including, but
30 not limited to land acquisition, construction, renovation, and equipment
31 acquisition); and for development of intermodal facilities (including, but
32 not limited to port and waterway projects, rail spur construction and road
33 and highway improvements); and for grants and/or loans to pay the costs of
34 environmental mitigation projects; and for construction and/or improvement of
35 water and sewer systems, in a sum not to exceed.....\$19,500,000.

36 (O) Effective July 1, 2013, the balance of the appropriation provided

1 in Item (T) Section 4 of Act 15 of 2012, for funding for an investment in
2 Arkansas' workforce through training incentives for companies located in
3 Arkansas to upgrade skills of their existing workforce, or for a potential
4 new workforce, and to build capacity within Arkansas to supply on-going
5 training needs of Arkansas companies and to increase participation in the
6 State's school-to-work initiatives, in a sum not to exceed.....\$3,000,000.

7 (P) Effective July 1, 2013, the balance of the appropriation provided
8 in Item (U) Section 4 of Act 15 of 2012, for a transfer to the Innovate
9 Arkansas Fund to provide assistance to start-up technology oriented
10 businesses, in a sum not to exceed.....\$1,375,001.

11 (Q) Effective July 1, 2013, the balance of the appropriation provided
12 in Item (V) Section 4 of Act 15 of 2012, for allocation by the Executive
13 Director of the Arkansas Economic Development Commission for activities
14 associated with the implementation of the State's strategic plan for economic
15 development, in a sum not to exceed.....\$500,000.

16 (R) Effective July 1, 2013, the balance of the appropriation provided
17 in Item (W) Section 4 of Act 15 of 2012, 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.....\$45,000.

26
27 SECTION 10. 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.

9
10 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General
11 Assembly that any funds disbursed under the authority of the appropriations
12 contained in this act shall be in compliance with the stated reasons for
13 which this act was adopted, as evidenced by the Agency Requests, Executive
14 Recommendations and Legislative Recommendations contained in the budget
15 manuals prepared by the Department of Finance and Administration, letters, or
16 summarized oral testimony in the official minutes of the Arkansas Legislative
17 Council or Joint Budget Committee which relate to its passage and adoption.

18
19 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the
20 General Assembly, that the Constitution of the State of Arkansas prohibits
21 the appropriation of funds for more than a one (1) year period; that the
22 effectiveness of this Act on July 1, 2013 is essential to the operation of
23 the agency for which the appropriations in this Act are provided, and that in
24 the event of an extension of the legislative session, the delay in the
25 effective date of this Act beyond July 1, 2013 could work irreparable harm
26 upon the proper administration and provision of essential governmental
27 programs. Therefore, an emergency is hereby declared to exist and this Act
28 being necessary for the immediate preservation of the public peace, health
29 and safety shall be in full force and effect from and after July 1, 2013.