

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

A Bill

HOUSE BILL 1369

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
9 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS ECONOMIC
11 DEVELOPMENT COMMISSION; AND FOR OTHER PURPOSES."

Subtitle

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13
14 "AN ACT FOR THE ARKANSAS ECONOMIC
15 DEVELOPMENT 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 - ECONOMIC DEVELOPMENT. There is hereby
21 appropriated, to the Arkansas Economic Development Commission, to be payable
22 from the Economic Development Incentive Fund of the Arkansas Economic
23 Development Commission, for the Arkansas Economic Development Commission, the
24 following:

25 (A) Effective July 1, 1999, the balance of the appropriation provided in
26 Item (A) of Section 1 of Act 499 of 1997, for providing financial incentives
27 to companies locating a new or expanded facility in Arkansas, in a sum not to
28 exceed \$5,153,621.
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30 (B) Effective July 1, 1999, the balance of the appropriation provided in
31 Item (A) of Section 2 of Act 506 of 1997, for providing financial incentives
32 to companies locating a new or expanded facility in the State of Arkansas, in
33 a sum not to exceed \$12,000,000.
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35 SECTION 2. REAPPROPRIATION - INFRASTRUCTURE AND WORKFORCE DEVELOPMENT.
36 There is hereby appropriated, to the Arkansas Economic Development Commission,

1 to be payable from the General Improvement Fund or its successor fund or fund
2 accounts, for the Arkansas Economic Development Commission, the following:

3 (A) Effective July 1, 1999, the balance of the appropriation provided in
4 Item (A) of Section 1 of Act 506 of 1997, for purpose of providing grants to
5 cities and counties to provide financial assistance necessary to undertake
6 public works projects or job training which support private sector job
7 creation opportunities or alleviate conditions which constitute a threat to
8 public health, in a sum not to exceed\$18,832,189.

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10 (B) Effective July 1, 1999, the balance of the appropriation provided in
11 Item (B) of Section 1 of Act 506 of 1997, for providing incentives for
12 companies located in Arkansas to upgrade the skills of their existing
13 workforce and to build capacity within our state supported institutions to
14 supply the on-going training needs of Arkansas companies and to increase
15 participation in the state's school-to-work initiatives, in a sum not to
16 exceed\$4,000,000.

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18 (C) Effective July 1, 1999, the balance of the appropriation provided in
19 Item (B) of Section 2 of Act 499 of 1997, for partially defraying the costs of
20 providing access to publicly owned industrial parks, in a sum not to exceed
21\$124,132.

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23 (D) Effective July 1, 1999, the balance of the appropriation provided in
24 Item (C) of Section 2 of Act 499 of 1997, for the purpose of providing
25 incentives for companies located in Arkansas to upgrade the skills of their
26 existing workforce and to build capacity within our state supported
27 institutions to supply the on-going training needs of Arkansas companies and
28 to increase participation in the state's school-to-work initiatives, in a sum
29 not to exceed\$1,255,634.

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31 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
32 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDUSTRIAL PARK
33 ACCESS. The funds appropriated in Item ~~(B)~~ (C) of Section 2 of this act may
34 be used for the following purposes:

35 (a) To supplement other monies available to counties and cities in order to
36 provide up to seventy-five percent (75%) of the matching funds required by the

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

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 9 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
 10 obligations otherwise incurred in relation to the project or projects
 11 described herein in excess of the State Treasury funds actually available
 12 therefor as provided by law. Provided, however, that institutions and
 13 agencies listed herein shall have the authority to accept and use grants and
 14 donations including Federal funds, and to use its unobligated cash income or
 15 funds, or both available to it, for the purpose of supplementing the State
 16 Treasury funds for financing the entire costs of the project or projects
 17 enumerated herein. Provided further, that the appropriations and funds
 18 otherwise provided by the General Assembly for Maintenance and General
 19 Operations of the agency or institutions receiving appropriation herein shall
 20 not be used for any of the purposes as appropriated in this act.

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

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 28 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
 29 that any funds disbursed under the authority of the appropriations contained
 30 in this act shall be in compliance with the stated reasons for which this act
 31 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 32 and Legislative Recommendations contained in the budget manuals prepared by
 33 the Department of Finance and Administration, letters, or summarized oral
 34 testimony in the official minutes of the Arkansas Legislative Council or Joint
 35 Budget Committee which relate to its passage and adoption.

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1 SECTION 6. CODE. All provisions of this Act of a general and permanent
2 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
3 Code Revision Commission shall incorporate the same in the Code.

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5 SECTION 7. SEVERABILITY. If any provision of this act or the application
6 thereof to any person or circumstance is held invalid, such invalidity shall
7 not affect other provisions or applications of the act which can be given
8 effect without the invalid provision or application, and to this end the
9 provisions of this act are declared to be severable.

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11 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict with
12 this act are hereby repealed.

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14 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
15 Eighty-second General Assembly, that the Constitution of the State of Arkansas
16 prohibits the appropriation of funds for more than a two (2) year period; that
17 previous General Assemblies have provided appropriations for the projects
18 provided or enumerated in this act; that certain appropriations will expire
19 before the adjournment of the General Assembly; and that if such
20 appropriations expire, the projects and programs authorized herein will cease
21 thereby depriving the citizens of the State of the benefits to be derived from
22 such projects. Therefore, an emergency is hereby declared to exist and this
23 Act being necessary for the immediate preservation of the public peace, health
24 and safety shall be in full force and effect from and after the date of its
25 passage and approval. If the bill is neither approved nor vetoed by the
26 Governor, it shall become effective on the expiration of the period of time
27 during which the Governor may veto the bill. If the bill is vetoed by the
28 Governor and the veto is overridden, it shall become effective on the date the
29 last house overrides the veto.