

State of Arkansas  
85th General Assembly  
Regular Session, 2005

# A Bill

SENATE BILL 244

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF  
ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF ECONOMIC  
DEVELOPMENT REAPPROPRIATION.

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

### SECTION 1. REAPPROPRIATION - CONWAY TECHNOLOGY PARK - INFRASTRUCTURE.

There is hereby appropriated, to the Department of Economic Development, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Economic Development, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 886 of 2003, for state assistance to construct a knowledge-based economic development project within the Conway Technology Park in Conway, Arkansas, in a sum not to exceed .....\$250,000.

SECTION 2. REAPPROPRIATION - MOVIE/FILM OFFICE - STATE OF ARKANSAS. There is hereby appropriated, to the Department of Economic Development, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Economic Development, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 536 of 2003, 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 .....\$24,276.

SECTION 3. REAPPROPRIATION - GRANTS TO CITIES AND COUNTIES AND WORKFORCE DEVELOPMENT. There is hereby appropriated, to the Department of Economic Development, to be payable from the Economic Development Incentive Fund of the Arkansas Economic Development Commission, for the Department of Economic Development, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 2 of Act 164 of 2003, for providing financial incentives to companies locating a new facility or expanding an existing facility within the State of Arkansas, in a sum not to exceed .....\$12,053,720.

SECTION 4. REAPPROPRIATION - GRANTS TO CITIES AND COUNTIES AND WORKFORCE DEVELOPMENT. There is hereby appropriated, to the Department of Economic Development, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Economic Development, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 164 of 2003, 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 expansion of the aircraft and aerospace industry, and for port and waterway economic development projects, in a sum not to exceed .....\$6,000,000.

(B) Effective July 1, 2005, the balance of the appropriation provided in Item (B) of Section 1 of Act 164 of 2003, for providing funding for incentives for companies located in Arkansas to upgrade skills of their existing workforce and to build capacity within our state supported institutions to supply the on-going training needs of Arkansas companies and to increase participation in the state's school-to-work initiatives, in a sum not to exceed .....\$1,500,000.

(C) Effective July 1, 2005, the balance of the appropriation provided in Item (C) of Section 1 of Act 164 of 2003, for grants to cities and counties (current obligations), in a sum not to exceed .....\$1,500,000.

SECTION 5. REAPPROPRIATION - PUBLIC ROADS IMPROVEMENTS. There is hereby appropriated, to the Department of Economic Development, to be payable from the Public Roads Incentive Fund, for the Department of Economic Development, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 2 of Act 104 of 2003, for the Arkansas Public Roads Improvements Credit Act - a program to encourage private participation in public roads projects with an income tax credit, in a sum not to exceed .....\$1,000,000.

SECTION 6. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby appropriated, to the Department of Economic Development, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Economic Development, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 104 of 2003, 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 expansion of the aircraft and aerospace industry, and for port and waterway economic development projects, in a sum not to exceed .....\$750,000.

(B) Effective July 1, 2005, the balance of the appropriation provided in Item (B) of Section 1 of Act 104 of 2003, for providing incentives for companies located in Arkansas to upgrade the skills of their existing workforce and to build capacity within our state supported institutions to supply the on-going training needs of Arkansas companies and to increase participation in the state's school-to-work initiatives, in a sum not to exceed .....\$39,936.

SECTION 7. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby appropriated, to the Department of Economic Development, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Economic Development, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (D) of Section 1 of Act 104 of 2003, for providing grants to cities and counties to provide financial assistance necessary to undertake public works projects or job training 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 expansion of the aircraft and aerospace industry and for port and waterway economic development projects, in a sum not to exceed

.....\$1,629,477.

(B) Effective July 1, 2005, the balance of the appropriation provided in Item (F) of Section 1 of Act 104 of 2003, for the purpose of promoting small business growth by providing loans to qualified small businesses on a matching basis, in a sum not to exceed .....\$332,500.

(C) Effective July 1, 2005, the balance of the appropriation provided in Item (G) of Section 1 of Act 104 of 2003, for infrastructure improvements in the City of Arkadelphia, in a sum not to exceed .....\$600,000.

SECTION 8. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that institutions and agencies listed herein shall have the authority to accept and use grants and donations including Federal funds, and to use its unobligated cash income or funds, or both available to it, for the purpose of supplementing the State Treasury funds for financing the entire costs of the project or projects enumerated herein. Provided further, that the appropriations and funds otherwise provided by the General Assembly for Maintenance and General Operations of the agency or institutions receiving appropriation herein shall not be used for any of the purposes as appropriated in this act.

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

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

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11 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General  
12 Assembly, that the Constitution of the State of Arkansas prohibits the  
13 appropriation of funds for more than a two (2) year period; that previous  
14 General Assemblies have provided appropriations for the projects provided or  
15 enumerated in this act; that certain appropriations will expire before the  
16 adjournment of the General Assembly; and that if such appropriations expire,  
17 the projects and programs authorized herein will cease thereby depriving the  
18 citizens of the State of the benefits to be derived from such projects.  
19 Therefore, an emergency is hereby declared to exist and this Act being  
20 necessary for the immediate preservation of the public peace, health and  
21 safety shall be in full force and effect from and after the date of its  
22 passage and approval. If the bill is neither approved nor vetoed by the  
23 Governor, it shall become effective on the expiration of the period of time  
24 during which the Governor may veto the bill. If the bill is vetoed by the  
25 Governor and the veto is overridden, it shall become effective on the date  
26 the last house overrides the veto.