

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.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1294

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE ECONOMIC
11 DEVELOPMENT COMMISSION; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE ECONOMIC DEVELOPMENT
15 COMMISSION REAPPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. REAPPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM -
22 CREATE REBATE. There is hereby appropriated, to the Economic Development
23 Commission, to be payable from the Economic Development Incentive Fund of the
24 Arkansas Economic Development Commission, for the Economic Development
25 Commission, the following:

26 (A) Effective July 1, 2009, the balance of the appropriation provided in
27 Item (A) of Section 4 of Act 1495 of 2007, for providing financial incentives
28 to companies locating a new facility or expanding an existing facility within
29 the State of Arkansas and for reimbursement to companies that hire and
30 maintain specified levels of employment, in a sum not to exceed
31\$29,815,377.
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33 SECTION 2. REAPPROPRIATION - QUICK ACTION CLOSING FUND. There is hereby
34 appropriated, to the Economic Development Commission, to be payable from the
35 Economic Development Incentive Quick Action Closing Fund, for the Economic
36 Development Commission, the following:



1 (A) Effective July 1, 2009, the balance of the appropriation provided in
2 Item (A) of Section 3 of Act 1495 of 2007, for investment incentives to
3 attract new business and economic development to the state, in a sum not to
4 exceed\$40,762,310.
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6 SECTION 3. REAPPROPRIATION - NEW AND EXISTING WORKER TRAINING PROGRAM.

7 There is hereby appropriated, to the Economic Development Commission, to be
8 payable from the General Improvement Fund or its successor fund or fund
9 accounts, for the Economic Development Commission, the following:

10 (A) Effective July 1, 2009, the balance of the appropriation provided in
11 Item (A) of Section 2 of Act 1495 of 2007, for providing funding and
12 appropriation for an investment in Arkansas' workforce through training
13 incentives for companies located in Arkansas to upgrade skills of their
14 existing workforce, or for a potential new workforce, and to build capacity
15 within Arkansas to supply on-going training needs of Arkansas companies and
16 to increase participation in the State's school-to-work initiatives, in a sum
17 not to exceed\$5,000,000.
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19 SECTION 4. REAPPROPRIATION - ECONOMIC INFRASTRUCTURE PROJECTS. There is
20 hereby appropriated, to the Economic Development Commission, to be payable
21 from the General Improvement Fund or its successor fund or fund accounts, for
22 the Economic Development Commission, the following:

23 (A) Effective July 1, 2009, the balance of the appropriation provided in
24 Item (A) of Section 1 of Act 1495 of 2007, for providing funding for grants
25 to cities and counties to provide financial assistance necessary to undertake
26 public works projects and/or job training efforts which support private
27 sector job creation opportunities, alleviate conditions which constitute a
28 threat to public health and well being, or partially defray the costs of
29 providing access to publicly owned industrial parks; and for grants and/or
30 loans for the expansion of the aircraft and aerospace industry; and for
31 grants and/or loans for port and waterway economic development projects; and
32 for grants and/or loans to support technology based economic development
33 projects, in a sum not to exceed\$10,866,764.
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35 SECTION 5. REAPPROPRIATION - MOVIE/FILM OFFICE - STATE OF ARKANSAS. There
36 is hereby appropriated, to the Economic Development Commission, to be payable

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

3 (A) Effective July 1, 2009, the balance of the appropriation provided in
4 Item (A) of Section 2 of Act 414 of 2007, for the promotion of the movie/film
5 office for the production of full length movies in the State of Arkansas, in
6 a sum not to exceed\$14,862.

7 (B) Effective July 1, 2009, the balance of the appropriation provided in
8 Item (A) of Section 7 of Act 414 of 2007, for the promotion of the movie/film
9 office for the production of full length movies in the State of Arkansas, in
10 a sum not to exceed\$2,816.

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12 SECTION 6. REAPPROPRIATION - GRANTS TO CITIES AND COUNTIES AND WORKFORCE
13 DEVELOPMENT. There is hereby appropriated, to the Economic Development
14 Commission, to be payable from the General Improvement Fund or its successor
15 fund or fund accounts, for the Economic Development Commission, the
16 following:

17 (A) Effective July 1, 2009, the balance of the appropriation provided in
18 Item (B) of Section 6 of Act 414 of 2007, for providing funding for
19 incentives for companies located in Arkansas to upgrade skills of their
20 existing workforce and to build capacity within our state supported
21 institutions to supply the on-going training needs of Arkansas companies and
22 to increase participation in the State's school-to-work initiatives, in a sum
23 not to exceed\$714,328.

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25 SECTION 7. REAPPROPRIATION - SMALL BUSINESS LOAN PROGRAM. There is hereby
26 appropriated, to the Economic Development Commission, to be payable from the
27 General Improvement Fund or its successor fund or fund accounts, for the
28 Economic Development Commission, the following:

29 (A) Effective July 1, 2009, the balance of the appropriation provided in
30 Item (A) of Section 4 of Act 414 of 2007, for investments in a competitive
31 pay supplement and related expenses for the Science, Technology, Engineering
32 and Math fund by the Economic Development Commission, in a sum not to exceed
33\$291,804

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35 SECTION 8. REAPPROPRIATION - ECONOMIC DEVELOPMENT PROJECTS. There is
36 hereby appropriated, to the Economic Development Commission, to be payable

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

3 (A) Effective July 1, 2009, the balance of the appropriation provided in
4 Item (A) of Section 1 of Act 1315 of 2007, for economic development projects
5 authorized under Amendment 82 to the Constitution of the State of Arkansas of
6 1874, in a sum not to exceed\$100,000,000.

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8 SECTION 9. REAPPROPRIATION - INNOVATE ARKANSAS PROGRAM. There is hereby
9 appropriated, to the Economic Development Commission, to be payable from the
10 General Improvement Fund or its successor fund or fund accounts, for the
11 Economic Development Commission, the following:

12 (A) Effective July 1, 2009, the balance of the appropriation provided in
13 Item (1) of Section 1 of Act 1265 of 2007, for investments and related
14 expenses in start-up technology oriented businesses for the Innovate Arkansas
15 Program by the Economic Development Commission, in a sum not to exceed
16\$1,720,377.

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18 SECTION 10. REAPPROPRIATION - SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH
19 (STEM) FUND. There is hereby appropriated, to the Economic Development
20 Commission, to be payable from the General Improvement Fund or its successor
21 fund or fund accounts, for the Economic Development Commission, the
22 following:

23 (A) Effective July 1, 2009, the balance of the appropriation provided in
24 Item (1) of Section 1 of Act 1266 of 2007, for investments in a competitive
25 pay supplement and related expenses for the Science, Technology, Engineering
26 and Math fund by the Economic Development Commission, in a sum not to exceed
27\$40,000,000.

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29 SECTION 11. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
30 obligations otherwise incurred in relation to the project or projects
31 described herein in excess of the State Treasury funds actually available
32 therefor as provided by law. Provided, however, that institutions and
33 agencies listed herein shall have the authority to accept and use grants and
34 donations including Federal funds, and to use its unobligated cash income or
35 funds, or both available to it, for the purpose of supplementing the State
36 Treasury funds for financing the entire costs of the project or projects

1 enumerated herein. Provided further, that the appropriations and funds
 2 otherwise provided by the General Assembly for Maintenance and General
 3 Operations of the agency or institutions receiving appropriation herein shall
 4 not be used for any of the purposes as appropriated in this act.

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

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

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 21 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General
 22 Assembly, that the Constitution of the State of Arkansas prohibits the
 23 appropriation of funds for more than a one (1) year period; that the
 24 effectiveness of this Act on July 1, 2009 is essential to the operation of
 25 the agency for which the appropriations in this Act are provided, and that in
 26 the event of an extension of the Regular Session, the delay in the effective
 27 date of this Act beyond July 1, 2009 could work irreparable harm upon the
 28 proper administration and provision of essential governmental programs.
 29 Therefore, an emergency is hereby declared to exist and this Act being
 30 necessary for the immediate preservation of the public peace, health and
 31 safety shall be in full force and effect from and after July 1, 2009.