

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

SENATE BILL 225

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

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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 - GRANTS/PROJECTS/FUNDS. There is hereby  
21 appropriated, to the Economic Development Commission, to be payable from the  
22 General Improvement Fund or its successor fund or fund accounts, for the  
23 Economic Development Commission the following:

24 (A) Effective July 1, 2011, the balance of the appropriation provided  
25 in Item (A) Section 1 of Act 290 of 2010, for providing funding and  
26 appropriation for an investment in Arkansas' workforce through training  
27 incentives for companies located in Arkansas to upgrade skills of their  
28 existing workforce, or for a potential new workforce, and to build capacity  
29 within Arkansas to supply on-going training needs to Arkansas companies and  
30 to increase participation in the State's school-to-work initiatives, in a sum  
31 not to exceed.....\$431,968.

32 (B) Effective July 1, 2011, the balance of the appropriation provided  
33 in Item (B) Section 1 of Act 290 of 2010, for providing funding for grants to  
34 cities and counties to provide financial assistance necessary to undertake  
35 public works projects and/or job training efforts which support private  
36 sector job creation opportunities, alleviate conditions which constitute a



1 threat to public health and well being, or partially defray the costs of  
2 providing access to publicly owned industrial parks; and for grants and/or  
3 loans for the expansion of the aircraft and aerospace industry; and for  
4 grants and/or loans for port and waterway economic development projects; and  
5 for grants and/or loans to support technology based economic development  
6 projects, in a sum not to exceed.....\$2,025,490.

7 (C) Effective July 1, 2011, the balance of the appropriation provided  
8 in Item (C) Section 1 of Act 290 of 2010, 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.....\$8,683.

11 (D) Effective July 1, 2011, the balance of the appropriation provided  
12 in Item (F) Section 1 of Act 290 of 2010, for grants to cities, counties,  
13 planning and development districts, and other eligible entities for land  
14 acquisition, improvements, construction, renovation, major maintenance, and  
15 purchase of equipment, industrial site development costs including,  
16 construction, renovation, and equipment acquisition, development of  
17 intermodal facilities, including port and waterway projects, rail spur  
18 construction and road and highway improvements, environmental mitigation  
19 projects, and construction and improvement of water and sewer systems, in a  
20 sum not to exceed.....\$125,000.

21 (E) Effective July 1, 2011, the balance of the appropriation provided  
22 in Item (G) Section 1 of Act 290 of 2010, for grants to cities, counties,  
23 planning and development districts, and other eligible entities for land  
24 acquisition, improvements, construction, renovation, major maintenance, and  
25 purchase of equipment, industrial site development costs including,  
26 construction, renovation, and equipment acquisition, development of  
27 intermodal facilities, including port and waterway projects, rail spur  
28 construction, and road and highway improvements, environmental mitigation  
29 projects, and construction and improvement of water and sewer systems, in a  
30 sum not to exceed.....\$45,000.

31 (F) Effective July 1, 2011, the balance of the appropriation provided  
32 in Item (H) Section 1 of Act 290 of 2010, 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.....\$16,250.

5 (G) Effective July 1, 2011, the balance of the appropriation provided  
6 in Item (I) Section 1 of Act 290 of 2010, 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.....\$5,000.

15 (H) Effective July 1, 2011, the balance of the appropriation provided  
16 in Item (K) Section 1 of Act 290 of 2010, 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.....\$3,000.

25 (I) Effective July 1, 2011, the balance of the appropriation provided  
26 in Item (M) Section 1 of Act 290 of 2010, 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.....\$70,000.

35 (J) Effective July 1, 2011, the balance of the appropriation provided  
36 in Item (N) Section 1 of Act 290 of 2010, for grants to eligible entities in

1 efforts to promote economic and social development including the purchase,  
2 distribution, and associated costs for providing emergency food, food  
3 banks/food suppliers, government surplus food distribution sites, home  
4 assistance/supplies, in a sum not to exceed.....\$350,000.

5 (K) Effective July 1, 2011, the balance of the appropriation provided  
6 in Item (P) Section 1 of Act 290 of 2010, for grants to state agencies,  
7 cities and counties, and other eligible entities, for industrial site  
8 development costs including land acquisition, construction, renovation, and  
9 equipment acquisition, development of intermodal facilities, including port  
10 and waterway projects, rail spur construction and road and highway  
11 improvements, environmental mitigation projects, and construction and  
12 improvement of water and sewer systems, in a sum not to exceed  
13 .....\$10,000,000.

14 (L) Effective July 1, 2011, the balance of the appropriation provided  
15 in Item (Q) Section 1 of Act 290 of 2010, for transfer into the Minority  
16 Business Loan Mobilization Revolving Fund to promote the development of  
17 minority business enterprises in the State, increase the ability of minority  
18 business enterprises to compete for state contracts, and sustain the economic  
19 growth of minority business enterprises in the State, in a sum not to exceed  
20 .....\$400,000.

21 (M) Effective July 1, 2011, the balance of the appropriation provided  
22 in Item (R) Section 1 of Act 290 of 2010, for the allocation by the Executive  
23 Director of the Arkansas Economic Development Commission, for activities  
24 associated with the implementation of Governor Mike Beebe’s Strategic Plan  
25 for Economic Development, in a sum not to exceed.....\$500,000.

26 (N) Effective July 1, 2011, the balance of the appropriation provided  
27 in Item (S) Section 1 of Act 290 of 2010, for providing funding for grants to  
28 cities and counties to provide financial assistance necessary to undertake  
29 public works projects and/or job training efforts which support private  
30 sector job creation opportunities, alleviate conditions which constitute a  
31 threat to public health and well-being, or partially defray the costs of  
32 providing access to publicly owned industrial parks; and for grants and/or  
33 loans for the expansion of the aircraft and aerospace industry; and for  
34 grants and/or loans to support technology based economic development  
35 projects, in a sum not to exceed.....\$19,750,000.

36 (O) Effective July 1, 2011, the balance of the appropriation provided

1 in Item (T) Section 1 of Act 290 of 2010, for transfer to the Quick Action  
2 Closing Fund to provide incentives to attract new business and economic  
3 development to the State, in a sum not to exceed.....\$50,000,000.

4 (P) Effective July 1, 2011, the balance of the appropriation provided  
5 in Item (U) Section 1 of Act 290 of 2010, 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.....\$5,000,000.

12 (Q) Effective July 1, 2011, the balance of the appropriation provided  
13 in Item (V) Section 1 of Act 290 of 2010, for transfer to the Innovate  
14 Arkansas Fund to provide assistance to start-up technology oriented  
15 businesses, in a sum not to exceed.....\$1,003,812.

16 (R) Effective July 1, 2011, the balance of the appropriation provided  
17 in Item (W) Section 1 of Act 290 of 2010, for economic development projects  
18 authorized under Amendment 82 to the Constitution of the State of Arkansas of  
19 1874, in a sum not to exceed.....\$225,000,000.

20 (S) Effective July 1, 2011, the balance of the appropriation provided  
21 in Item (Z) Section 1 of Act 290 of 2010, for the cost associated with  
22 providing production rebates, in a sum not to exceed.....\$5,000,000.

23 (T) Effective July 1, 2011, the balance of the appropriation provided  
24 in Item (CC) Section 1 of Act 290 of 2010, for grants to cities, counties,  
25 planning and development districts, and other eligible entities for land  
26 acquisition, improvements, construction, renovation, major maintenance, and  
27 purchase of equipment, industrial site development costs including,  
28 construction, renovation, and equipment acquisition, development of  
29 intermodal facilities, including port and waterway projects, rail spur  
30 construction and road and highway improvements, environmental mitigation  
31 projects, and construction and improvement of water and sewer systems, in a  
32 sum not to exceed.....\$88,750.

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34 SECTION 2. REAPPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM.

35 There is hereby appropriated, to the Economic Development Commission, to be  
36 payable from the Economic Development Incentive Fund of the Arkansas Economic

1 Development Commission, for the Economic Development Commission the  
2 following:

3 (A) Effective July 1, 2011, the balance of the appropriation provided  
4 in Item (B) Section 2 of Act 290 of 2010, for providing financial incentives  
5 to companies locating a new facility or expanding an existing facility within  
6 the State of Arkansas and for companies that hire and maintain specified  
7 levels of employment, as identified in signed financial incentive agreements,  
8 in a sum not to exceed.....\$39,500,000.

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10 SECTION 3. REAPPROPRIATION - QUICK ACTION CLOSING FUND. There is  
11 hereby appropriated, to the Economic Development Commission, to be payable  
12 from the Economic Development Incentive Quick Action Closing Fund, for the  
13 Economic Development Commission the following:

14 (A) Effective July 1, 2011, the balance of the appropriation provided  
15 in Item (A) Section 3 of Act 290 of 2010, for investment incentives to  
16 attract new business and economic development to the state, in a sum not to  
17 exceed.....\$14,613,264.

18 (B) Effective July 1, 2011, the balance of the appropriation provided  
19 in Item (B) Section 3 of Act 290 of 2010, for incentives to attract new  
20 business and economic development to the state, in a sum not to exceed  
21 .....\$50,000,000.

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23 SECTION 4. REAPPROPRIATION - RAILROAD RECLAMATION. There is hereby  
24 appropriated, to the Economic Development Commission, to be payable from the  
25 federal funds as designated by the Chief Fiscal Officer of the State, for the  
26 Economic Development Commission the following:

27 (A) Effective July 1, 2011, the balance of the appropriation provided  
28 in Item (A) Section 4 of Act 290 of 2010, for grants for construction,  
29 operating expenses, personal services and equipment for railroad reclamation,  
30 in a sum not to exceed.....\$1,000,000.

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

36 (A) Effective July 1, 2011, the balance of the appropriation provided

1 in Item (A) Section 6 of Act 290 of 2010, for promoting the development of  
2 minority business enterprises in the State, increasing the ability of  
3 minority business enterprises to compete for state contracts, and sustaining  
4 the economic growth of minority business enterprises in the State, in a sum  
5 not to exceed.....\$398,910.

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7 SECTION 6. REAPPROPRIATION - INNOVATE ARKANSAS. There is hereby  
8 appropriated, to the Economic Development Commission, to be payable from the  
9 Innovate Arkansas Fund, for the Economic Development Commission the  
10 following:

11 (A) Effective July 1, 2011, the balance of the appropriation provided  
12 in Item (A) Section 7 of Act 290 of 2010, for providing assistance to start-  
13 up technology oriented businesses, in a sum not to exceed.....\$1,003,812.

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15 SECTION 7. 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.

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35 SECTION 8. 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.  
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8 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
9 Assembly, that the Constitution of the State of Arkansas prohibits the  
10 appropriation of funds for more than a one (1) year period; that the  
11 effectiveness of this Act on July 1, 2011 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, 2011 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, 2011.  
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