

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 429

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
9 ECONOMIC DEVELOPMENT COMMISSION FOR CAPITAL
10 IMPROVEMENT PROJECTS, GRANTS AND PROGRAMS; AND FOR
11 OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE ARKANSAS ECONOMIC
15 DEVELOPMENT COMMISSION - CAPITAL
16 IMPROVEMENT PROJECTS, GRANTS AND PROGRAMS
17 APPROPRIATION.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is
24 hereby appropriated, to the Arkansas Economic Development Commission, to be
25 payable from the Development and Enhancement Fund, the following:

26 (A) for grants and/or loans to state agencies, community-based non-
27 profit organizations, fire departments, counties, municipalities or
28 subdivisions thereof, or other eligible entities for operating, construction,
29 improvements, equipment, renovation, and/or maintenance expenses associated
30 with public buildings, public lands, community centers, memorials, parks,
31 amphitheaters, museums, recreation centers, fire protection, law enforcement,
32 libraries, senior centers, and cemeteries, in a sum not to exceed
33\$30,000,000.

34 (B) for payments on bonds issued for economic development projects
35 authorized under Amendment 82 to the Constitution of the State of Arkansas of
36 1874, in a sum not to exceed\$7,000,000.



1 (C) for funding for grants and/or loans to state agencies, cities,
2 counties, community-based non-profit organizations and other eligible
3 entities to support economic stimulus activities throughout the state, in a
4 sum not to exceed\$15,000,000.

5 (D) for vital infrastructure needs, programs, grants, and/or loans for
6 public buildings, water treatment systems, environmental concerns, energy
7 needs, telecommunications, sewer systems, and cost-effective energy efficient
8 improvements and technologies, in a sum not to exceed\$22,000,000.

9 (E) for Public Safety Grants to eligible entities for personal
10 services, operating expenses, equipment, maintenance, repair and upgrade
11 associated with the provision of fire protection, search and rescue, security
12 enhancement, telecommunications, emergency medical service, and disaster
13 relief and recovery, in a sum not to exceed\$10,000,000.

14 (F) for community improvement grants for equipment, repair,
15 maintenance, construction, renovation, improvement and upgrade of public
16 buildings and facilities, in a sum not to exceed\$5,000,000.

17 (G) for grant matching funds and/or loans to state agencies, cities,
18 counties, community-based non-profit organizations and other eligible
19 entities applying for consideration with a grant funder that requires
20 matching funds for projects, to maximize contributions, provide cash
21 assistance, or match contributions to ensure grant funding or contract, in a
22 sum not to exceed\$10,000,000.

23 (H) for the purpose of providing grants and/or loans to state agencies,
24 cities, counties, community-based non-profit organizations and other entities
25 determined by the Arkansas Economic Development Commission to be eligible to:
26 (1) undertake public works projects and/or job training efforts which support
27 private sector job creation opportunities; (2) alleviate conditions which
28 constitute a threat to public health and wellbeing; (3) partially defray the
29 cost of providing access to publicly owned industrial parks, and/or
30 technology parks; (4) provide for the expansion of the aircraft and aerospace
31 industry; (5) provide for port, rail and waterway economic development
32 projects; (6) provide for technology based economic development projects; (7)
33 provide for industrial site development costs (including, but not limited to
34 land acquisition, construction, renovation, and equipment acquisition); (8)
35 provide for development of intermodal facilities (including, but not limited
36 to port and/or waterway projects, rail spur construction and/or road and

1 highway improvement); (9) pay the costs of environmental mitigation projects;
2 (10) provide for construction and/or improvement of water and sewer systems,
3 in a sum not to exceed\$30,000,000.

4 (I) for funding for an investment in Arkansas’s workforce through
5 training incentives for companies located in Arkansas to upgrade skills of
6 their existing workforce, or for a potential new workforce, and to build
7 capacity within Arkansas to supply on-going training needs of Arkansas
8 companies and to increase participation in the State’s school-to-work
9 initiatives, in a sum not to exceed\$3,000,000.

10 (J) for a transfer to the Economic Development Incentive Quick Action
11 Closing Fund, for incentives to attract new business and economic development
12 to the state, in a sum not to exceed\$75,000,000.

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14 SECTION 2. APPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM -
15 CREATE REBATE. There is hereby appropriated, to the Arkansas Economic
16 Development Commission, to be payable from the Economic Development Incentive
17 Fund of the Arkansas Economic Development Commission, the following:

18 (A) for financial incentives to companies locating a new facility or
19 expanding and existing facility with the State of Arkansas and for companies
20 that hire and maintain specified levels of employment, as identified in
21 signed financial agreements with the Arkansas Economic Development
22 Commission, in a sum not to exceed.....\$37,500,000.

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24 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
25 obligations otherwise incurred in relation to the project or projects
26 described herein in excess of the State Treasury funds actually available
27 therefor as provided by law. Provided, however, that institutions and
28 agencies listed herein shall have the authority to accept and use grants and
29 donations including Federal funds, and to use its unobligated cash income or
30 funds, or both available to it, for the purpose of supplementing the State
31 Treasury funds for financing the entire costs of the project or projects
32 enumerated herein. Provided further, that the appropriations and funds
33 otherwise provided by the General Assembly for Maintenance and General
34 Operations of the agency or institutions receiving appropriation herein shall
35 not be used for any of the purposes as appropriated in this act.

36 (B) The restrictions of any applicable provisions of the State

1 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
2 Revenue Stabilization Law and any other applicable fiscal control laws of
3 this State and regulations promulgated by the Department of Finance and
4 Administration, as authorized by law, shall be strictly complied with in
5 disbursement of any funds provided by this act unless specifically provided
6 otherwise by law.

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

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17 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
18 Assembly, that the Constitution of the State of Arkansas prohibits the
19 appropriation of funds for more than a one (1) year period; that the
20 effectiveness of this Act on July 1, 2019 is essential to the operation of
21 the agency for which the appropriations in this Act are provided, and that in
22 the event of an extension of the legislative session, the delay in the
23 effective date of this Act beyond July 1, 2019 could work irreparable harm
24 upon the proper administration and provision of essential governmental
25 programs. Therefore, an emergency is hereby declared to exist and this Act
26 being necessary for the immediate preservation of the public peace, health
27 and safety shall be in full force and effect from and after July 1, 2019.