

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

# A Bill

SENATE BILL 240

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 ARKANSAS ECONOMIC  
10 DEVELOPMENT COMMISSION; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 AN ACT FOR THE ARKANSAS ECONOMIC  
14 DEVELOPMENT COMMISSION REAPPROPRIATION.  
15  
16

17  
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. REAPPROPRIATION - BOND PROCEEDS. There is hereby  
21 appropriated, to the Arkansas Economic Development Commission, to be payable  
22 from the Bond Proceeds, for the Arkansas Economic Development Commission the  
23 following:

24 (A) Effective July 1, 2015, the balance of the appropriation provided  
25 in Item (A) Section 2 of Act 20 of 2014, for economic development projects  
26 authorized under Amendment 82 to the Constitution of the State of Arkansas of  
27 1874, in a sum not to exceed.....\$225,000,000.  
28

29 SECTION 2. REAPPROPRIATION - CASH FUNDS. There is hereby appropriated,  
30 to the Arkansas Economic Development Commission, to be payable from the cash  
31 funds as defined by Arkansas Code 19-4-801, for the Arkansas Economic  
32 Development Commission the following:

33 (A) Effective July 1, 2015, the balance of the appropriation provided  
34 in Item (A) Section 3 of Act 20 of 2014, for grants for land acquisition,  
35 improvements, construction, renovation, major maintenance, and purchase of  
36 equipment for compressed natural gas demonstration stations, in a sum not to



1 exceed.....\$1,000,000.

2

3 SECTION 3. REAPPROPRIATION - ECONOMIC DEVELOPMENT INCENTIVE FUNDS.

4 There is hereby appropriated, to the Arkansas Economic Development  
5 Commission, to be payable from the Economic Development Incentive Fund of the  
6 Arkansas Economic Development Commission, for the Arkansas Economic  
7 Development Commission the following:

8 (A) Effective July 1, 2015, the balance of the appropriation provided  
9 in Item (A) Section 4 of Act 20 of 2014, for financial incentives to  
10 companies locating a new facility or expanding an existing facility within  
11 the state of Arkansas and for companies that hire and maintain specified  
12 levels of employment, as identified in signed financial agreements, in a sum  
13 not to exceed.....\$37,500,000.

14 (B) Effective July 1, 2015, the balance of the appropriation provided  
15 in Item (C) Section 4 of Act 20 of 2014, for financial incentives to  
16 companies locating a new facility or expanding an existing facility within  
17 the state of Arkansas and for companies that hire and maintain specified  
18 levels of employment, as identified in signed financial agreements, in a sum  
19 not to exceed.....\$37,500,000.

20

21 SECTION 4. REAPPROPRIATION - CLEAN-BURNING MOTOR FUEL DEVELOPMENT  
22 FUNDS. There is hereby appropriated, to the Arkansas Economic Development  
23 Commission, to be payable from the Clean Burning Motor Fuel Development Fund,  
24 for the Arkansas Economic Development Commission the following:

25 (A) Effective July 1, 2015, the balance of the appropriation provided  
26 in Item (A) Section 5 of Act 20 of 2014, for rebates, grants, and incentives  
27 for compressed natural gas and liquefied natural gas refueling stations and  
28 qualified clean-burning motor vehicle property, in a sum not to exceed  
29 .....\$5,000,000.

30

31 SECTION 5. REAPPROPRIATION - INNOVATE ARKANSAS. There is hereby  
32 appropriated, to the Arkansas Economic Development Commission, to be payable  
33 from the Innovate Arkansas Fund, for the Arkansas Economic Development  
34 Commission the following:

35 (A) Effective July 1, 2015, the balance of the appropriation provided  
36 in Item (A) Section 6 of Act 20 of 2014, for funds to provide assistance to

1 start-up technology oriented businesses, in a sum not to exceed  
2 .....\$1,300,000.

3  
4 SECTION 6. REAPPROPRIATION - QUICK ACTION CLOSING FUND. There is  
5 hereby appropriated, to the Arkansas Economic Development Commission, to be  
6 payable from the Economic Development Incentive Quick Action Closing Fund,  
7 for the Arkansas Economic Development Commission the following:

8 (A) Effective July 1, 2015, the balance of the appropriation provided  
9 in Item (A) Section 7 of Act 20 of 2014, for incentives to attract new  
10 business and economic development to the State, in a sum not to exceed  
11 .....\$50,000,000.

12 (B) Effective July 1, 2015, the balance of the appropriation provided  
13 in Item (B) Section 7 of Act 20 of 2014, for incentives to attract new  
14 business and economic development to the State, in a sum not to exceed  
15 .....\$50,000,000.

16  
17 SECTION 7. REAPPROPRIATION - MINORITY BUSINESS LOAN MOBILIZATION.  
18 There is hereby appropriated, to the Arkansas Economic Development  
19 Commission, to be payable from the Minority Loan Mobilization Revolving Fund,  
20 for the Arkansas Economic Development Commission the following:

21 (A) Effective July 1, 2015, the balance of the appropriation provided  
22 in Item (A) Section 8 of Act 20 of 2014, for promoting the development of  
23 minority business enterprises in the State, increasing the ability of  
24 minority business enterprises to compete for state contracts, and sustaining  
25 the economic growth of minority business enterprises in the State, in a sum  
26 not to exceed.....\$294,044.

27  
28 SECTION 8. REAPPROPRIATION - GENERAL IMPROVEMENT FUNDS. There is  
29 hereby appropriated, to the Arkansas Economic Development Commission, to be  
30 payable from the General Improvement Fund or its successor fund or fund  
31 accounts, for the Arkansas Economic Development Commission the following:

32 (A) Effective July 1, 2015, the balance of the appropriation provided  
33 in Item (A) Section 1 of Act 41 of 2014, for the promotion of the movie/film  
34 office for the production of full length movies in the State of Arkansas, in  
35 a sum not to exceed.....\$8,682.

36 (B) Effective July 1, 2015, the balance of the appropriation provided

1 in Item (A) Section 9 of Act 20 of 2014, for grants to cities, counties,  
 2 planning and development districts, and other eligible entities for land  
 3 acquisition, improvements, construction, renovation, major maintenance, and  
 4 purchase of equipment, industrial site development costs including,  
 5 construction, renovation, and equipment acquisition, development of  
 6 intermodal facilities, including port and waterway projects, rail spur  
 7 construction and road and highway improvements, environmental mitigation  
 8 projects, and construction and improvement of water and sewer systems, in a  
 9 sum not to exceed.....\$120,500.

10 (C) Effective July 1, 2015, the balance of the appropriation provided  
 11 in Item (B) Section 9 of Act 20 of 2014, for grants to cities, counties,  
 12 planning and development districts, and other eligible entities for land  
 13 acquisition, improvements, construction, renovation, major maintenance, and  
 14 purchase of equipment, industrial site development costs including,  
 15 construction, renovation, and equipment acquisition, development of  
 16 intermodal facilities, including port and waterway projects, rail spur  
 17 construction and road and highway improvements, environmental mitigation  
 18 projects, and construction and improvement of water and sewer systems, in a  
 19 sum not to exceed.....\$140,000.

20 (D) Effective July 1, 2015, the balance of the appropriation provided  
 21 in Item (C) Section 9 of Act 20 of 2014, for grants to cities, counties,  
 22 planning and development districts, and other eligible entities for land  
 23 acquisition, improvements, construction, renovation, major maintenance, and  
 24 purchase of equipment, industrial site development costs including,  
 25 construction, renovation, and equipment acquisition, development of  
 26 intermodal facilities, including port and waterway projects, rail spur  
 27 construction and road and highway improvements, environmental mitigation  
 28 projects, and construction and improvement of water and sewer systems, in a  
 29 sum not to exceed.....\$55,000.

30 (E) Effective July 1, 2015, the balance of the appropriation provided  
 31 in Item (D) Section 9 of Act 20 of 2014, for grants to cities, counties,  
 32 planning and development districts, and other eligible entities for land  
 33 acquisition, improvements, construction, renovation, major maintenance, and  
 34 purchase of equipment, industrial site development costs including,  
 35 construction, renovation, and equipment acquisition, development of  
 36 intermodal facilities, including port and waterway projects, rail spur

1 construction and road and highway improvements, environmental mitigation  
2 projects, and construction and improvement of water and sewer systems, in a  
3 sum not to exceed.....\$35,000.

4 (F) Effective July 1, 2015, the balance of the appropriation provided  
5 in Item (G) Section 9 of Act 20 of 2014, for grants to health related  
6 facilities or hospitals for construction, land acquisition, improvements,  
7 renovation, maintenance, equipment acquisition, and technology upgrades, in a  
8 sum not to exceed.....\$215,000.

9 (G) Effective July 1, 2015, the balance of the appropriation provided  
10 in Item (H) Section 9 of Act 20 of 2014, for a transfer to the Economic  
11 Development Incentive Quick Action Closing Fund, for incentives to attract  
12 new business and economic development to the State, in a sum not to exceed  
13 .....\$50,000,000.

14 (H) Effective July 1, 2015, the balance of the appropriation provided  
15 in Item (I) Section 9 of Act 20 of 2014, for funding for grants and/or loans  
16 to state agencies, cities, counties, community-based non-profit organizations  
17 and other eligible entities to undertake public works projects and/or job  
18 training efforts which support private sector job creation opportunities,  
19 alleviate conditions which constitute a threat to public health and well  
20 being, or partially defray the costs of providing access to publicly owned  
21 industrial parks, and/or technology parks; to provide grants and/or loans for  
22 the expansion of the aircraft and aerospace industry; grants and/or loans for  
23 port and waterway economic development projects; grants and/or loans for  
24 technology based economic development projects; grants and/or loans for  
25 industrial site development costs (including, but not limited to land  
26 acquisition, construction, renovation, and equipment acquisition);  
27 development of intermodal facilities (including, but not limited to port and  
28 waterway projects, rail spur construction and road and highway improvements);  
29 grants and/or loans to pay the costs of environmental mitigation projects;  
30 and for construction and/or improvement of water and sewer systems, in a sum  
31 not to exceed.....\$17,775,000.

32 (I) Effective July 1, 2015, the balance of the appropriation provided  
33 in Item (J) Section 9 of Act 20 of 2014, for funding for an investment in  
34 Arkansas' workforce through training incentives for companies located in  
35 Arkansas to upgrade skills of their existing workforce, or for a potential  
36 new workforce, and to build capacity within Arkansas to supply on-going

1 training needs of Arkansas companies and to increase participation in the  
2 State's school-to-work initiatives, in a sum not to exceed.....\$3,000,000.

3 (J) Effective July 1, 2015, the balance of the appropriation provided  
4 in Item (M) Section 9 of Act 20 of 2014, for payments on bonds issued for  
5 economic development projects authorized under Amendment 82 to the  
6 Constitution of the State of Arkansas of 1874, in a sum not to exceed  
7 .....\$20,000,000.

8 (K) Effective July 1, 2015, the balance of the appropriation provided  
9 in Item (O) Section 9 of Act 20 of 2014, for providing funding for grants to  
10 cities and counties to provide financial assistance necessary to undertake  
11 public works projects and/or job training efforts which support private  
12 sector job creation opportunities, alleviate conditions which constitute a  
13 threat to public health and well being, or partially defray the costs of  
14 providing access to publicly owned industrial parks; and for grants and/or  
15 loans for the expansion of the aircraft and aerospace industry; and for  
16 grants and/or loans for port and waterway economic development projects; and  
17 for grants and/or loans to support technology based economic development  
18 projects, in a sum not to exceed.....\$1,369,846.

19 (L) Effective July 1, 2015, the balance of the appropriation provided  
20 in Item (P) Section 9 of Act 20 of 2014, for providing funding for grants to  
21 cities and counties to provide financial assistance necessary to undertake  
22 public works projects and/or job training efforts which support private  
23 sector job creation opportunities, alleviate conditions which constitute a  
24 threat to public health and well-being, or partially defray the costs of  
25 providing access to publicly owned industrial parks; and for grants and/or  
26 loans for the expansion of the aircraft and aerospace industry; and for  
27 grants and/or loans to support technology based economic development  
28 projects, in a sum not to exceed.....\$1,256,840.

29 (M) Effective July 1, 2015, the balance of the appropriation provided  
30 in Item (R) Section 9 of Act 20 of 2014, for grants to cities, counties,  
31 planning and development districts, and other eligible entities for land  
32 acquisition, improvements, construction, renovation, major maintenance, and  
33 purchase of equipment, industrial site development costs including,  
34 construction, renovation, and equipment acquisition, development of  
35 intermodal facilities, including port and waterway projects, rail spur  
36 construction and road and highway improvements, environmental mitigation

1 projects, and construction and improvement of water and sewer systems, in a  
2 sum not to exceed.....\$88,750.

3 (N) Effective July 1, 2015, the balance of the appropriation provided  
4 in Item (S) Section 9 of Act 20 of 2014, for grants to cities, counties,  
5 planning and development districts, and other eligible entities for land  
6 acquisition, improvements, construction, renovation, major maintenance, and  
7 purchase of equipment, industrial site development costs including,  
8 construction, renovation, and equipment acquisition, development of  
9 intermodal facilities, including port and waterway projects, rail spur  
10 construction and road and highway improvements, environmental mitigation  
11 projects, and construction and improvement of water and sewer systems, in a  
12 sum not to exceed.....\$3,000.

13 (O) Effective July 1, 2015, the balance of the appropriation provided  
14 in Item (T) Section 9 of Act 20 of 2014, for grants to cities, counties,  
15 planning and development districts, and other eligible entities for land  
16 acquisition, improvements, construction, renovation, major maintenance, and  
17 purchase of equipment, industrial site development costs including,  
18 construction, renovation, and equipment acquisition, development of  
19 intermodal facilities, including port and waterway projects, rail spur  
20 construction and road and highway improvements, environmental mitigation  
21 projects, and construction and improvement of water and sewer systems, in a  
22 sum not to exceed.....\$18,000.

23 (P) Effective July 1, 2015, the balance of the appropriation provided  
24 in Item (U) Section 9 of Act 20 of 2014, 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.....\$45,000.

33 (Q) Effective July 1, 2015, the balance of the appropriation provided  
34 in Item (V) Section 9 of Act 20 of 2014, for grants to cities, counties,  
35 planning and development districts and other eligible entities for land  
36 acquisition, improvements, construction, renovation, major maintenance, and

1 purchase of equipment, industrial site development costs including,  
2 construction, renovation, and equipment acquisition, development of  
3 intermodal facilities, including port and waterway projects, rail spur  
4 construction and road and highway improvements, environmental mitigation  
5 projects, and construction and improvement of water and sewer systems, in a  
6 sum not to exceed.....\$16,250.

7 (R) Effective July 1, 2015, the balance of the appropriation provided  
8 in Item (W) Section 9 of Act 20 of 2014, for grants to cities, counties,  
9 planning and development districts, and other eligible entities for land  
10 acquisition, improvements, construction, renovation, major maintenance, and  
11 purchase of equipment, industrial site development costs including,  
12 construction, renovation, and equipment acquisition, development of  
13 intermodal facilities, including port and waterway projects, rail spur  
14 construction and road and highway improvements, environmental mitigation  
15 projects and construction and improvement of water and sewer systems, in a  
16 sum not to exceed.....\$5,000.

17 (S) Effective July 1, 2015, the balance of the appropriation provided  
18 in Item (X) Section 9 of Act 20 of 2014, for grants to cities, counties,  
19 planning and development districts, and other eligible entities for land  
20 acquisition, improvements, construction, renovation, major maintenance, and  
21 purchase of equipment, industrial site development costs including,  
22 construction, renovation, and equipment acquisition, development of  
23 intermodal facilities, including port and waterway projects, rail spur  
24 construction and road and highway improvements, environmental mitigation  
25 projects, and construction and improvement of water and sewer systems, in a  
26 sum not to exceed.....\$20,000.

27 (T) Effective July 1, 2015, the balance of the appropriation provided  
28 in Item (Y) Section 9 of Act 20 of 2014, for funding for grants and/or loans  
29 to state agencies, cities, counties, community-based non-profit organizations  
30 and other eligible entities to undertake public works projects and/or job  
31 training efforts which support private sector job creation opportunities,  
32 alleviate conditions which constitute a threat to public health and well  
33 being, or partially defray the costs of providing access to publicly owned  
34 industrial parks, and/or technology parks; and to provide grants and/or loans  
35 for the expansion of the aircraft and aerospace industry; and for grants  
36 and/or loans for port and waterway economic development projects; and for

1 grants and/or loans for technology based economic development projects; and  
2 for grants and/or loans for industrial site development costs (including, but  
3 not limited to land acquisition, construction, renovation, and equipment  
4 acquisition); and for development of intermodal facilities (including, but  
5 not limited to port and waterway projects, rail spur construction and road  
6 and highway improvements); and for grants and/or loans to pay the costs of  
7 environmental mitigation projects; and for construction and/or improvement of  
8 water and sewer systems, in a sum not to exceed.....\$1,706,054.

9 (U) Effective July 1, 2015, the balance of the appropriation provided  
10 in Item (Z) Section 9 of Act 20 of 2014, for funding for an investment in  
11 Arkansas' workforce through training incentives for companies located in  
12 Arkansas to upgrade skills of their existing workforce, or for a potential  
13 new workforce, and to build capacity within Arkansas to supply on-going  
14 training needs of Arkansas companies and to increase participation in the  
15 State's school-to-work initiatives, in a sum not to exceed.....\$443,017.

16 (V) Effective July 1, 2015, the balance of the appropriation provided  
17 in Item (AA) Section 9 of Act 20 of 2014, for rebates, grants, and incentives  
18 for compressed natural gas and liquefied natural gas refueling stations and  
19 qualified clean-burning motor vehicle property, in a sum not to exceed  
20 .....\$1,050,000.

21 (W) Effective July 1, 2015, the balance of the appropriation provided  
22 in Item (DD) Section 9 of Act 20 of 2014, for funding for grants and/or loans  
23 to state agencies, cities, counties, community-based non-profit organizations  
24 and other eligible entities to undertake public works projects and/or job  
25 training efforts which support private sector job creation opportunities,  
26 alleviate conditions which constitute a threat to public health and well  
27 being, or partially defray the costs of providing access to publicly owned  
28 industrial parks, and/or technology parks; to provide grants and/or loans for  
29 the expansion of the aircraft and aerospace industry; grants and/or loans for  
30 port and waterway economic development projects; grants and/or loans for  
31 technology based economic development projects; grants and/or loans for  
32 industrial site development costs (including, but not limited to land  
33 acquisition, construction, renovation, and equipment acquisition);  
34 development of intermodal facilities (including, but not limited to port and  
35 waterway projects, rail spur construction and road and highway improvements);  
36 grants and/or loans to pay the costs of environmental mitigation projects;

1 and for construction and/or improvement of water and sewer systems, in a sum  
2 not to exceed.....\$25,000.

3  
4 SECTION 9. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
5 obligations otherwise incurred in relation to the project or projects  
6 described herein in excess of the State Treasury funds actually available  
7 therefor as provided by law. Provided, however, that institutions and  
8 agencies listed herein shall have the authority to accept and use grants and  
9 donations including Federal funds, and to use its unobligated cash income or  
10 funds, or both available to it, for the purpose of supplementing the State  
11 Treasury funds for financing the entire costs of the project or projects  
12 enumerated herein. Provided further, that the appropriations and funds  
13 otherwise provided by the General Assembly for Maintenance and General  
14 Operations of the agency or institutions receiving appropriation herein shall  
15 not be used for any of the purposes as appropriated in this act.

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

22  
23 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General  
24 Assembly that any funds disbursed under the authority of the appropriations  
25 contained in this act shall be in compliance with the stated reasons for  
26 which this act was adopted, as evidenced by the Agency Requests, Executive  
27 Recommendations and Legislative Recommendations contained in the budget  
28 manuals prepared by the Department of Finance and Administration, letters, or  
29 summarized oral testimony in the official minutes of the Arkansas Legislative  
30 Council or Joint Budget Committee which relate to its passage and adoption.

31  
32 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the  
33 General Assembly, that the Constitution of the State of Arkansas prohibits  
34 the appropriation of funds for more than a one (1) year period; that the  
35 effectiveness of this Act on July 1, 2015 is essential to the operation of  
36 the agency for which the appropriations in this Act are provided, and that in

the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2015 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2015.

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36