

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.

Act 1224 of the Regular Session

1 State of Arkansas *As Engrossed: S2/19/07 S3/19/07 S3/26/07 S3/28/07*

2 86th General Assembly

A Bill

3 Regular Session, 2007

SENATE BILL 175

4

5 By: Joint Budget Committee

6

7

8

For An Act To Be Entitled

9

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL

10

SERVICES AND OPERATING EXPENSES FOR THE

11

DEPARTMENT OF ECONOMIC DEVELOPMENT FOR THE

12

BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR

13

OTHER PURPOSES.

14

15

16

Subtitle

17

AN ACT FOR THE DEPARTMENT OF ECONOMIC

18

DEVELOPMENT APPROPRIATION FOR THE

19

2007-2009 BIENNIUM.

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

23

24

SECTION 1. REGULAR SALARIES. There is hereby established for the

25

Department of Economic Development for the 2007-2009 biennium, the following

26

maximum number of regular employees whose salaries shall be governed by the

27

provisions of the Uniform Classification and Compensation Act (Arkansas Code

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§§21-5-201 et seq.), or its successor, and all laws amendatory thereto.

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Provided, however, that any position to which a specific maximum annual

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salary is set out herein in dollars, shall be exempt from the provisions of

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said Uniform Classification and Compensation Act. All persons occupying

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positions authorized herein are hereby governed by the provisions of the

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Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),

34

or its successor.

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				Maximum	Maximum Annual
				No. of	Salary Rate
	Item	Class		Employees	Fiscal Years
	No.	Code	Title		2007-2008 2008-2009
5	(1)	9900	ADED DIRECTOR	1	\$118,692 \$121,065
6	(2)	9813	ADED DEPUTY DIRECTOR	1	\$101,813 \$103,849
7	(3)	9910	ADED ENERGY DIR OF ESTABLISH INDUST	1	\$94,839 \$96,735
8	(4)	9858	MANAGER INTERNATIONAL RELATIONS	1	\$94,839 \$96,735
9	(5)	9817	DIR OF MINORITY BUSINESS PROGRAMS	1	\$94,839 \$96,735
10	(6)	9814	ADED DIRECTOR MARKETING	1	\$94,839 \$96,735
11	(7)	9812	ADED DIRECTOR INDUST FINANCE	1	\$94,839 \$96,735
12	(8)	9811	ADED DEPUTY DIR ECONOMIC DEV PLANNI	1	\$94,839 \$96,735
13	(9)	9810	ADED DIR ECON DEVELOPMENT	1	\$94,839 \$96,735
14	(10)	9793	ED DEPUTY DIRECTOR TRAINING	1	\$94,839 \$96,735
15	(11)	9816	POL C COMPLIANCE ASST COORD	1	\$90,019 \$91,819
16	(12)	9755	DEPUTY DIRECTOR		
17			ADMINISTRATION & FINANCE	1	\$101,813 \$103,849
18	(13)	9754	ADED ADMR/EVAL/PLAN&MGMT SYSTEM	1	\$71,242 \$72,666
19	(14)	7355	ADED INVESTMENTS MANAGER/ASIA	1	\$71,242 \$72,666
20	(15)	906Z	ADED RESEARCH MANAGER	1	GRADE 25
21	(16)	977Z	STATE ENERGY DEPUTY DIRECTOR	1	GRADE 25
22	(17)	R379	STATE ECONOMIC DEVELOPER III	33	GRADE 25
23	(18)	R080	STATISTICAL ANALYSIS MANAGER	1	GRADE 24
24	(19)	D100	DP SENIOR PROJECT LEADER	1	GRADE 23
25	(20)	E051	TRAINING PROJECT MANAGER	3	GRADE 22
26	(21)	R127	ENERGY CONSERVATION PROGRAM ADMR	3	GRADE 22
27	(22)	909Z	PROGRAM SUPPORT MANAGER	2	GRADE 22
28	(23)	A032	AGENCY FISCAL MANAGER	2	GRADE 22
29	(24)	A008	ACCOUNTING SUPERVISOR II	1	GRADE 21
30	(25)	N293	DEVELOPMENT SPECIALIST	1	GRADE 21
31	(26)	D036	SR PROGRAMMER/ANALYST	1	GRADE 21
32	(27)	R348	COMMUNITY DEVELOPMENT CONSULTANT	5	GRADE 21
33	(28)	D121	USER SUPPORT ANALYST	2	GRADE 20
34	(29)	N333	MEDIA SPECIALIST	1	GRADE 20
35	(30)	R004	STATE ENERGY PROGRAM COORDINATOR	2	GRADE 20
36	(31)	R266	MANAGEMENT PROJECT ANALYST II	6	GRADE 20

1	(32)	A110	ACCOUNTANT II	1	GRADE 19
2	(33)	R150	RESEARCH PROJECT ANALYST	2	GRADE 19
3	(34)	R168	GRANTS COORDINATOR II	2	GRADE 19
4	(35)	D128	P C SUPPORT SPECIALIST	1	GRADE 18
5	(36)	N328	INFORMATION OFFICER II	1	GRADE 18
6	(37)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
7	(38)	R190	PERSONNEL OFFICER II	1	GRADE 17
8	(39)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17
9	(40)	R010	ADMINISTRATIVE ASSISTANT II	7	GRADE 17
10	(41)	R148	RESEARCH ASSISTANT	1	GRADE 15
11	(42)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
12	(43)	K153	SECRETARY II	<u>2</u>	GRADE 13
13			MAX. NO. OF EMPLOYEES	101	

14

15 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for
 16 the Department of Economic Development – State Operations for the 2007-2009
 17 biennium, the following maximum number of part-time or temporary employees,
 18 to be known as "Extra Help", payable from funds appropriated herein for such
 19 purposes: one (1) temporary or part-time employees, when needed, at rates of
 20 pay not to exceed those provided in the Uniform Classification and
 21 Compensation Act, or its successor, or this act for the appropriate
 22 classification.

23

24 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 25 to the Department of Economic Development, to be payable from the Department
 26 of Economic Development Fund Account, for personal services and operating
 27 expenses of the Department of Economic Development - State Operations for the
 28 biennial period ending June 30, 2009, the following:

29

30	ITEM		FISCAL YEARS	
31	<u>NO.</u>		<u>2007-2008</u>	<u>2008-2009</u>
32	(01)	REGULAR SALARIES	\$ 2,797,382	\$ 2,853,299
33	(02)	EXTRA HELP	10,000	10,000
34	(03)	PERSONAL SERVICES MATCHING	792,798	804,279
35	(04)	MAINT. & GEN. OPERATION		
36	(A)	OPER. EXPENSE	1,453,650	1,412,900

1	(B) CONF. & TRAVEL	61,811	61,811
2	(C) PROF. FEES	1,247,250	1,247,250
3	(D) CAP. OUTLAY	244,100	0
4	(E) DATA PROC.	0	0
5	(05) FAR EAST TRADE/INDUSTRY RECRUITMENT	150,000	150,000
6	(06) LATIN AMERICAN TRADE DEV	150,000	150,000
7	(07) ECONOMIC INFRASTRUCTURE PRGM	<u>5,000,000</u>	<u>5,000,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 11,906,991</u>	<u>\$ 11,689,539</u>

9

10 SECTION 4. APPROPRIATION - COMMUNITY ASSISTANCE (CDBG) - FEDERAL. There is
 11 hereby appropriated, to the Department of Economic Development, to be payable
 12 from the federal funds as designated by the Chief Fiscal Officer of the
 13 State, for personal services and operating expenses of the Department of
 14 Economic Development - Community Assistance - Federal for the biennial period
 15 ending June 30, 2009, the following:

16

17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
19	(01) REGULAR SALARIES	\$ 236,760	\$ 241,493
20	(02) PERSONAL SERVICES MATCHING	77,343	78,304
21	(03) MAINT. & GEN. OPERATION		
22	(A) OPER. EXPENSE	60,600	60,600
23	(B) CONF. & TRAVEL	25,000	25,000
24	(C) PROF. FEES	70,000	70,000
25	(D) CAP. OUTLAY	0	0
26	(E) DATA PROC.	0	0
27	(04) GRANTS/AIDS - CDBG	<u>36,500,000</u>	<u>36,500,000</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 36,969,703</u>	<u>\$ 36,975,397</u>

29

30 SECTION 5. APPROPRIATION - MOTION PICTURE DEVELOPMENT OFFICE. There is
 31 hereby appropriated, to the Department of Economic Development, to be payable
 32 from the Department of Economic Development Fund Account, for personal
 33 services and operating expenses of the Department of Economic Development -
 34 Motion Picture Development Office for the biennial period ending June 30,
 35 2009, the following:

36

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 71,242	\$ 72,666
(02) PERSONAL SERVICES MATCHING	18,626	18,915
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	6,500	6,500
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	5,000	5,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 101,368</u>	<u>\$ 103,081</u>

12

13 SECTION 6. APPROPRIATION - ESTABLISHED INDUSTRIES DIVISION - STATE. There
 14 is hereby appropriated, to the Department of Economic Development, to be
 15 payable from the Department of Economic Development Fund Account, for
 16 personal services and operating expenses of the Department of Economic
 17 Development - Established Industries Division - State for the biennial period
 18 ending June 30, 2009, the following:

19

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 382,489	\$ 390,134
(02) PERSONAL SERVICES MATCHING	111,054	112,602
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	41,503	41,503
(B) CONF. & TRAVEL	10,000	10,000
(C) PROF. FEES	25,000	25,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 570,046</u>	<u>\$ 579,239</u>

31

32 SECTION 7. APPROPRIATION - STATE ENERGY PLAN - FEDERAL. There is hereby
 33 appropriated, to the Department of Economic Development, to be payable from
 34 the federal funds as designated by the Chief Fiscal Officer of the State, for
 35 personal services and operating expenses of the Department of Economic
 36 Development - State Energy Plan - Federal for the biennial period ending June

1 30, 2009, the following:

ITEM		FISCAL YEARS	
NO.		2007-2008	2008-2009
5	(01) REGULAR SALARIES	\$ 344,268	\$ 351,150
6	(02) PERSONAL SERVICES MATCHING	111,713	113,108
7	(03) MAINT. & GEN. OPERATION		
8	(A) OPER. EXPENSE	166,675	166,675
9	(B) CONF. & TRAVEL	39,573	39,573
10	(C) PROF. FEES	204,001	204,001
11	(D) CAP. OUTLAY	0	0
12	(E) DATA PROC.	0	0
13	(04) ENERGY CONSERVATION GRANTS AND AID	<u>517,851</u>	<u>517,851</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,384,081</u>	<u>\$ 1,392,358</u>

15

16 SECTION 8. APPROPRIATION - BUSINESS DEVELOPMENT - STATE. There is hereby
 17 appropriated, to the Department of Economic Development, to be payable from
 18 the Department of Economic Development Fund Account, for personal services
 19 and operating expenses of the Department of Economic Development - Business
 20 Development - State for the biennial period ending June 30, 2009, the
 21 following:

22

ITEM		FISCAL YEARS	
NO.		2007-2008	2008-2009
25	(01) REGULAR SALARIES	\$ 181,428	\$ 185,055
26	(02) PERSONAL SERVICES MATCHING	53,538	54,275
27	(03) MAINT. & GEN. OPERATION		
28	(A) OPER. EXPENSE	10,000	10,000
29	(B) CONF. & TRAVEL	3,000	3,000
30	(C) PROF. FEES	0	0
31	(D) CAP. OUTLAY	0	0
32	(E) DATA PROC.	<u>0</u>	<u>0</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$ 247,966</u>	<u>\$ 252,330</u>

34

35 SECTION 9. EXTRA HELP - INDUSTRY TRAINING. There is hereby authorized,
 36 for the Department of Economic Development - Industry Training for the 2007-

1 2009 biennium, the following maximum number of part-time or temporary
 2 employees, to be known as "Extra Help", payable from funds appropriated
 3 herein for such purposes: ten (10) temporary or part-time employees, when
 4 needed, at rates of pay not to exceed those provided in the Uniform
 5 Classification and Compensation Act, or its successor, or this act for the
 6 appropriate classification.

7

8 SECTION 10. APPROPRIATION - INDUSTRY TRAINING. There is hereby
 9 appropriated, to the Department of Economic Development, to be payable from
 10 the Department of Economic Development Fund Account, for personal services
 11 and operating expenses of the Department of Economic Development - Industry
 12 Training for the biennial period ending June 30, 2009, the following:

13

ITEM		FISCAL YEARS	
NO.		2007-2008	2008-2009
16	(01) REGULAR SALARIES	\$ 312,842	\$ 319,095
17	(02) EXTRA HELP	10,000	10,000
18	(03) PERSONAL SERVICES MATCHING	89,322	90,588
19	(04) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSE	220,000	220,000
21	(B) CONF. & TRAVEL	22,475	22,475
22	(C) PROF. FEES	0	0
23	(D) CAP. OUTLAY	0	0
24	(E) DATA PROC.	0	0
25	(05) INDUSTRY TRAINING PROGRAM	1,000,000	1,000,000
26	(06) EXISTING WORKER TRAINING PRGM	<u>1,500,000</u>	<u>1,500,000</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,154,639</u>	<u>\$ 3,162,158</u>

28

29 SECTION 11. APPROPRIATION - STATE MATCHING GRANTS. There is hereby
 30 appropriated, to the Department of Economic Development, to be payable from
 31 the Department of Economic Development Fund Account, for state matching of
 32 federal grants to the Arkansas Economic Development Commission of the
 33 Department of Economic Development for the biennial period ending June 30,
 34 2009, the following:

35

36 ITEM FISCAL YEARS

NO.	2007-2008	2008-2009
(01) FOR STATE MATCHING OF FEDERAL GRANTS	\$ 228,500	\$ 228,500

SECTION 12. APPROPRIATIONS - INCENTIVE PLANS - CASH. There is hereby appropriated, to the Department of Economic Development, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Economic Development, for expenses of assisting industries in the negotiation of financial incentive plans of the Department of Economic Development for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) FINANCIAL INCENTIVE PLANS - EXPENSES	\$ 15,000	\$ 15,000

SECTION 13. APPROPRIATIONS - CENTURY TUBE PROGRAM. There is hereby appropriated, to the Department of Economic Development, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Economic Development, for expenses associated with international business recruitment and investment from funds received from the Century Tube Company for the Arkansas Economic Development Commission of the Department of Economic Development for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) CENTURY TUBE PROGRAM EXPENSES	\$ 5,980	\$ 5,980

SECTION 14. APPROPRIATIONS - TRADE AND INTERNATIONAL INVESTMENT DIVISION. There is hereby appropriated, to the Department of Economic Development, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Economic Development, for marketing expenses of the Arkansas Economic Development Commission of the Department of Economic Development for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009

1	(01) TRADE AND INTERNATIONAL INVESTMENT		
2	MARKETING EXPENSES	\$ <u>13,725</u>	\$ <u>13,725</u>

3

4 SECTION 15. APPROPRIATIONS - *EXISTING BUSINESS RESOURCE PROGRAM*. There is

5 hereby appropriated, to the Department of Economic Development, to be payable

6 from cash funds as defined by Arkansas Code 19-4-801 of the Department of

7 Economic Development, for *Existing Business Resource Program expenses* of the

8 Arkansas Economic Development Commission of the Department of Economic

9 Development for the biennial period ending June 30, 2009, the following:

10			
11	ITEM	FISCAL YEARS	
12	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
13	(01) <i>EXISTING BUSINESS RESOURCE EXPENSES</i>	\$ <u>46,500</u>	\$ <u>46,500</u>

14

15 SECTION 16. APPROPRIATIONS - PETROLEUM VIOLATION ESCROW - CASH. There is

16 hereby appropriated, to the Department of Economic Development, to be payable

17 from cash funds as defined by Arkansas Code 19-4-801 of the Department of

18 Economic Development, for operating expenses and grants to approved projects

19 from funds received from settlements with petroleum companies and other

20 miscellaneous cash funds of the Department of Economic Development for the

21 biennial period ending June 30, 2009, the following:

22			
23	ITEM	FISCAL YEARS	
24	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
25	(01) ENERGY CONSERVATION GRANTS AND AID	\$ <u>592,163</u>	\$ <u>592,163</u>

26

27 SECTION 17. APPROPRIATION - INDUSTRIAL COORDINATOR PROGRAM. There is

28 hereby appropriated, to the Department of Economic Development, to be payable

29 from the Department of Economic Development Fund Account, for personal

30 services and operating expenses of the Department of Economic Development -

31 Industrial Coordinator Program for the biennial period ending June 30, 2009,

32 the following:

33			
34	ITEM	FISCAL YEARS	
35	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
36	(01) REGULAR SALARIES	\$ 541,277	\$ 552,097

1	(02) PERSONAL SERVICES MATCHING	160,008	162,200
2	(03) MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE	85,000	85,000
4	(B) CONF. & TRAVEL	12,550	12,550
5	(C) PROF. FEES	0	0
6	(D) CAP. OUTLAY	0	0
7	(E) DATA PROC.	<u>0</u>	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 798,835</u>	<u>\$ 811,847</u>

9

10 SECTION 18. APPROPRIATIONS - SMALL BUSINESS DEVELOPMENT - CASH. There is
 11 hereby appropriated, to the Department of Economic Development, to be payable
 12 from cash funds as defined by Arkansas Code 19-4-801 of the Department of
 13 Economic Development, for assisting small businesses in the development of
 14 successful working business plans for the biennial period ending June 30,
 15 2009, the following:

16

17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
19	(01) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSE	\$ 10,000	\$ 10,000
21	(B) CONF. & TRAVEL	0	0
22	(C) PROF. FEES	0	0
23	(D) CAP. OUTLAY	0	0
24	(E) DATA PROC.	<u>0</u>	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 10,000</u>	<u>\$ 10,000</u>

26

27 SECTION 19. APPROPRIATION - SUPER PROJECTS. There is hereby appropriated,
 28 to the Department of Economic Development, to be payable from the Economic
 29 Development Superprojects Project Fund, for Super Projects of the Department
 30 of Economic Development for the biennial period ending June 30, 2009, the
 31 following:

32

33	ITEM	FISCAL YEARS	
34	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
35	(01) SUPER PROJECTS	<u>\$ 200,000,000</u>	<u>\$ 200,000,000</u>

36

1 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
3 FORWARD. The unexpended balances of appropriation provided for the
4 expenditures of federal funds as provided for in Section 4 of this Act on
5 June 30, ~~2006~~ 2008, shall be carried forward and made available for
6 expenditures for the same purpose for the fiscal year ending June 30, ~~2007~~
7 2009.

8 Any carry forward of unexpended balance of appropriation and/or funding as
9 authorized herein, may be carried forward under the following conditions:

10 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
11 its reason(s) for the need to carry forward said appropriation and/or funding
12 to the Department of Finance and Administration Office of Budget;

13 (2) The Department of Finance and Administration Office of Budget shall
14 report to the Arkansas Legislative Council all amounts carried forward from
15 the first fiscal year of the biennium to the second fiscal year of the
16 biennium by the September Arkansas Legislative Council or Joint Budget
17 Committee meeting in the second fiscal year of the biennial period which
18 report shall include the name of the Agency, Board, Commission or Institution
19 and the amount of the appropriation and/or funding carried forward from the
20 first fiscal year to the second fiscal year, the program name or line item,
21 the funding source of that appropriation and a copy of the written request
22 set forth in (1) above;

23 (3) Each Agency, Board, Commission or Institution shall provide a written
24 report to the Arkansas Legislative Council or Joint Budget Committee
25 containing all information set forth in item (2) above, along with a written
26 statement as to the current status of the project, contract, purpose etc. for
27 which the carry forward was originally requested no later than thirty (30)
28 days prior to the time the Agency, Board, Commission or Institution presents
29 its budget request to the Arkansas Legislative Council/Joint Budget
30 Committee; and

31 (4) Thereupon, the Department of Finance and Administration shall include
32 all information obtained in item (3) above in the biennial budget manuals
33 and/or a statement of non-compliance by the Agency, Board, Commission or
34 Institution.

35 The provisions of this section shall be in effect only from July 1, ~~2005~~
36 2007 through June 30, ~~2007~~ 2009.

1
2 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
4 FORWARD. At the close of the fiscal year ending June 30, ~~2006~~ 2008, any
5 unexpended appropriation provided for the Century Tube Program shall be
6 carried forward and made available for the same purposes for the fiscal year
7 ending June 30, ~~2007~~ 2009.

8 Any carry forward of unexpended balance of appropriation and/or funding as
9 authorized herein, may be carried forward under the following conditions:

10 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
11 its reason(s) for the need to carry forward said appropriation and/or funding
12 to the Department of Finance and Administration Office of Budget;

13 (2) The Department of Finance and Administration Office of Budget shall
14 report to the Arkansas Legislative Council all amounts carried forward from
15 the first fiscal year of the biennium to the second fiscal year of the
16 biennium by the September Arkansas Legislative Council or Joint Budget
17 Committee meeting in the second fiscal year of the biennial period which
18 report shall include the name of the Agency, Board, Commission or Institution
19 and the amount of the appropriation and/or funding carried forward from the
20 first fiscal year to the second fiscal year, the program name or line item,
21 the funding source of that appropriation and a copy of the written request
22 set forth in (1) above;

23 (3) Each Agency, Board, Commission or Institution shall provide a written
24 report to the Arkansas Legislative Council or Joint Budget Committee
25 containing all information set forth in item (2) above, along with a written
26 statement as to the current status of the project, contract, purpose etc. for
27 which the carry forward was originally requested no later than thirty (30)
28 days prior to the time the Agency, Board, Commission or Institution presents
29 its budget request to the Arkansas Legislative Council/Joint Budget
30 Committee; and

31 (4) Thereupon, the Department of Finance and Administration shall include
32 all information obtained in item (3) above in the biennial budget manuals
33 and/or a statement of non-compliance by the Agency, Board, Commission or
34 Institution.

35 The provisions of this section shall be in effect only from July 1, ~~2005~~
36 2007 through June 30, ~~2007~~ 2009.

1
2 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDUSTRY
4 TRAINING PROGRAM EXPENSES. In addition to training expenses, funds made
5 available to support the appropriation for INDUSTRY TRAINING PROGRAM herein
6 may be used to acquire capital equipment necessary to enhance the
7 capabilities of the Arkansas Industry Training Programs and for expenses
8 necessary to assist in carrying on the Existing Worker Training Program.
9 When not in use in an AITP managed course of training, the equipment
10 purchased under this provision shall be stored at a location to be determined
11 by the Executive Director, ADED. The provisions of this section shall be in
12 effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

13
14 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOREIGN
16 OFFICE OPERATIONS. The Arkansas Department of Economic Development is hereby
17 authorized to enter into contractual arrangements with private and/or public
18 companies, corporations, individuals or organizations for the purpose of
19 operating foreign offices. Arkansas Code 15-4-211 shall not be deemed
20 restrictive in its language so as to preclude the use of standard
21 Professional Services Contracts for the operation of the foreign offices
22 and/or payment of such contracts from the special line items as established
23 by legislative appropriation for the operation of said foreign offices. The
24 provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
25 through June 30, ~~2007~~ 2009.

26
27 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MULTI-USE
29 FACILITIES. The Arkansas Department of Economic Development (ADED) shall
30 structure its annual update to the Five Year Consolidated Plan and the new
31 Five Year Consolidated Plan to reflect the legislative intent for a priority
32 to be placed on the use of Community Development Block Grant (CDBG) funds for
33 Multi-use facilities that will offer combined facilities for programs
34 commonly offered in separate facilities such as senior centers, public health
35 centers, childcare centers and community centers. ADED shall report the
36 methodology for complying with this priority to the Legislative Council. The

1 provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
2 through June 30, ~~2007~~ 2009.

3
4 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC
6 PARTICIPATION. Arkansas Department of Economic Development (ADED) shall make
7 additional efforts to increase non-traditional public participation in its
8 annual update to the Five Year Consolidated Plan and the new Five Year
9 Consolidated Plan. These efforts shall be in addition to current public
10 notification methods. Notification should be considered through direct mail-
11 out to mayors and county judges, contacts with planning and development
12 districts, contact with the Department of Rural Services, submissions to
13 grant notification publications, and publication on ADED's web page. ADED is
14 encouraged to develop additional innovative public awareness strategies.
15 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
16 through June 30, ~~2007~~ 2009.

17
18 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RURAL
20 DEVELOPMENT. From the funds appropriated for COMMUNITY DEVELOPMENT GRANTS
21 within the Community Development Program in this Act for Community
22 Assistance-Federal, the Arkansas Department of Economic Development (ADED)
23 shall allocate \$500,000 per fiscal year to the Rural Development Set-Aside
24 from the Economic Development Set-Aside, as defined in ADED's Consolidated
25 Plan filed with the federal Department of Housing and Urban Development.
26 Funds allocated to the Rural Development Set-Aside are to be used exclusively
27 for grants to rural communities as defined in the Consolidated Plan. The
28 provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
29 through June 30, ~~2007~~ 2009.

30
31 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT
33 REVIEW. The Arkansas Department of Economic Development (ADED) shall review
34 all applications for grant funds from the Rural Development Set-Aside and
35 shall certify to the Department of Rural Services those applications eligible
36 for grant funds under ADED and federal guidelines. The Department of Rural

1 Services alone shall decide which grant applications will be funded, and ADED
2 shall disburse grant funds from the Rural Development Set-Aside to those
3 applicants receiving final approval by the Department of Rural Services. ADED
4 and the Department of Rural Services shall promulgate rules and regulations
5 governing the application for and disbursement of grant funds from the Rural
6 Development Set-Aside, and an annual report of the disposition of these grant
7 funds shall be made to the Legislative Joint Auditing Committee. The
8 provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
9 through June 30, ~~2007~~ 2009.

10
11 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
13 PROVISION - FOREIGN OFFICES. If at any time during the ~~2005-2007~~ 2007-2009
14 biennium, the Director determines that market conditions warrant, the
15 Arkansas Economic Development Commission is hereby authorized to transfer
16 appropriation, after receiving the approval of the Chief Fiscal Officer of
17 the State and prior ~~review~~ approval by the Legislative Council or Joint
18 Budget Committee, between ~~either of the two~~ Foreign Offices (~~Far East~~
19 ~~Trade/Industrial Recruitment and Latin American Trade Development~~) in the
20 State Operations Section 3 of this Act for the purpose of responding to
21 changes in the world markets.

22 Determining the maximum number of employees and the maximum amount of
23 appropriation and general revenue funding for a state agency each fiscal year
24 is the prerogative of the General Assembly. This is usually accomplished by
25 delineating such maximums in the appropriation act(s) for a state agency and
26 the general revenue allocations authorized for each fund and fund account by
27 amendment to the Revenue Stabilization law. Further, the General Assembly
28 has determined that the Arkansas Economic Development Commission may operate
29 more efficiently if some flexibility is provided to the Arkansas Economic
30 Development Commission authorizing broad powers under this Section.
31 Therefore, it is both necessary and appropriate that the General Assembly
32 maintain oversight by requiring prior approval of the Legislative Council or
33 Joint Budget Committee as provided by this section. The requirement of
34 approval by the Legislative Council or Joint Budget Committee is not a
35 severable part of this section. If the requirement of approval by the
36 Legislative Council or Joint Budget Committee is ruled unconstitutional by a

1 court of competent jurisdiction, this entire section is void.

2 The provisions of this section shall be in effect only from July 1, 2005
3 2007 through June 30, ~~2007~~ 2009.

4
5 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
7 PROVISION. If at any time during the ~~2005-2007~~ 2007-2009 biennium, savings
8 are accomplished in the appropriation provided for "Far East Trade/Industry
9 Recruitment", "Latin American Trade", and "Regular Salaries" in the State
10 Operations Section 3 of this Act, such appropriation savings may be
11 transferred to the appropriations made for "Maintenance and General
12 Operations" in the State Operations Section 3 of this Act after prior
13 approval review by the Legislative Council or Joint Budget Committee. In
14 addition, if at any time during the ~~2005-2007~~ 2007-2009 biennium, savings are
15 accomplished in the appropriation provided for "Maintenance and General
16 Operations" in the State Operations Section 3 of this Act, such appropriation
17 savings may be transferred to the appropriation for "Far East Trade/Industry
18 Recruitment" and "Latin American Trade" in the State Operations Section 3 of
19 this Act, after prior approval review by the Legislative Council or Joint
20 Budget Committee.

21 Determining the maximum number of employees and the maximum amount of
22 appropriation and general revenue funding for a state agency each fiscal year
23 is the prerogative of the General Assembly. This is usually accomplished by
24 delineating such maximums in the appropriation act(s) for a state agency and
25 the general revenue allocations authorized for each fund and fund account by
26 amendment to the Revenue Stabilization law. Further, the General Assembly
27 has determined that the Department of Economic Development may operate more
28 efficiently if some flexibility is provided to the Department of Economic
29 Development authorizing broad powers under this Section. Therefore, it is
30 both necessary and appropriate that the General Assembly maintain oversight
31 by requiring prior approval of the Legislative Council or Joint Budget
32 Committee as provided by this section. The requirement of approval by the
33 Legislative Council or Joint Budget Committee is not a severable part of this
34 section. If the requirement of approval by the Legislative Council or Joint
35 Budget Committee is ruled unconstitutional by a court of competent
36 jurisdiction, this entire section is void.

1 The provisions of this section shall be in effect only from July 1, 2005
2 2007 through June 30, ~~2007~~ 2009.

3
4 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
6 PROVISION. After receiving approval from the Chief Fiscal Officer of the
7 State and prior ~~review~~ approval by the Legislative Council or Joint Budget
8 Committee, the Director of the Arkansas Economic Development Commission is
9 authorized to transfer appropriation from any line item appropriation
10 authorized in the Community Assistance (CDBG) - Federal Section 4 of this Act
11 to any other line item authorized in the Community Assistance (CDBG) -
12 Federal Section 4 of this Act.

13 Determining the maximum number of employees and the maximum amount of
14 appropriation and general revenue funding for a state agency each fiscal year
15 is the prerogative of the General Assembly. This is usually accomplished by
16 delineating such maximums in the appropriation act(s) for a state agency and
17 the general revenue allocations authorized for each fund and fund account by
18 amendment to the Revenue Stabilization law. Further, the General Assembly
19 has determined that the Department of Economic Development may operate more
20 efficiently if some flexibility is provided to the Department of Economic
21 Development authorizing broad powers under this Section. Therefore, it is
22 both necessary and appropriate that the General Assembly maintain oversight
23 by requiring prior approval of the Legislative Council or Joint Budget
24 Committee as provided by this section. The requirement of approval by the
25 Legislative Council or Joint Budget Committee is not a severable part of this
26 section. If the requirement of approval by the Legislative Council or Joint
27 Budget Committee is ruled unconstitutional by a court of competent
28 jurisdiction, this entire section is void.

29 The provisions of this section shall be in effect only from July 1, 2005 2007
30 through June 30, ~~2007~~ 2009.

31
32 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 FLEXIBILITY RESTRICTIONS. The carry forward and transfer flexibility
35 provided to the Arkansas Economic Development Commission within this Act
36 relating to the appropriation in the Community Assistance (CDBG) - Federal

1 Section 4 shall be used only when necessary to carry out the Community
2 Development Block Grant Program and shall require approval by the Arkansas
3 Legislative Council or Joint Budget Committee.

4 Determining the maximum number of employees and the maximum amount of
5 appropriation and general revenue funding for a state agency each fiscal year
6 is the prerogative of the General Assembly. This is usually accomplished by
7 delineating such maximums in the appropriation act(s) for a state agency and
8 the general revenue allocations authorized for each fund and fund account by
9 amendment to the Revenue Stabilization law. Further, the General Assembly
10 has determined that the Department of Economic Development may operate more
11 efficiently if some flexibility is provided to the Department of Economic
12 Development, authorizing broad powers under this Section. Therefore, it is
13 both necessary and appropriate that the General Assembly maintain oversight
14 by requiring prior approval of the Legislative Council or Joint Budget
15 Committee as provided by this section. The requirement of approval by the
16 Legislative Council or Joint Budget Committee is not a severable part of this
17 section. If the requirement of approval by the Legislative Council or Joint
18 Budget Committee is ruled unconstitutional by a court of competent
19 jurisdiction, this entire section is void.

20 The provisions of this section shall be in effect only from July 1, 2005
21 2007 through June 30, ~~2007~~ 2009.

22
23 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
25 PROVISION - INDUSTRY TRAINING. If during either year of the ~~2005-2007~~ 2007-
26 2009 fiscal biennium, the Industry Training Division effects savings in Item
27 (05), INDUSTRY TRAINING PROGRAM, ~~of Section 10~~ of this Act, such savings may
28 be transferred to item (02), Extra Help or item (04), Maintenance and General
29 Operations, of the Industry Training Section ~~10~~ of this Act, after obtaining
30 approval of the Chief Fiscal Officer of the State and after prior review by
31 the Legislative Council or Joint Budget Committee. In addition, if any
32 savings are effected in either year of the ~~2005-2007~~ 2007-2009 fiscal
33 biennium in item (04), Maintenance and General Operations, of the Industry
34 Training Section ~~10~~ of this Act, such savings may be transferred to item
35 (05), Industry Training Program, of the Industry Training Section ~~10~~ of this
36 Act, after obtaining approval of the Chief Fiscal Officer of the State and

1 after prior ~~review~~ approval by the Legislative Council or Joint Budget
2 Committee.

3 Determining the maximum number of employees and the maximum amount of
4 appropriation and general revenue funding for a state agency each fiscal year
5 is the prerogative of the General Assembly. This is usually accomplished by
6 delineating such maximums in the appropriation act(s) for a state agency and
7 the general revenue allocations authorized for each fund and fund account by
8 amendment to the Revenue Stabilization law. Further, the General Assembly
9 has determined that the Department of Economic Development may operate more
10 efficiently if some flexibility is provided to the Department of Economic
11 Development authorizing broad powers under this Section. Therefore, it is
12 both necessary and appropriate that the General Assembly maintain oversight
13 by requiring prior approval of the Legislative Council or Joint Budget
14 Committee as provided by this section. The requirement of approval by the
15 Legislative Council or Joint Budget Committee is not a severable part of this
16 section. If the requirement of approval by the Legislative Council or Joint
17 Budget Committee is ruled unconstitutional by a court of competent
18 jurisdiction, this entire section is void.

19 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
20 through June 30, ~~2007~~ 2009.

21
22 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
24 PROVISION - INDUSTRY TRAINING PROGRAM. During either fiscal year of the
25 ~~2005-2007~~ 2007-2009 biennium any savings accomplished in line item (02) of
26 the Industry Training Section 10 of this Act, Extra Help, may be transferred
27 to line item (04) of the Industry Training Section 10 of this Act,
28 Maintenance and General Operation after prior ~~review~~ approval by the
29 Legislative Council or Joint Budget Committee.
30 Determining the maximum number of employees and the maximum amount of
31 appropriation and general revenue funding for a state agency each fiscal year
32 is the prerogative of the General Assembly. This is usually accomplished by
33 delineating such maximums in the appropriation act(s) for a state agency and
34 the general revenue allocations authorized for each fund and fund account by
35 amendment to the Revenue Stabilization law. Further, the General Assembly
36 has determined that the Department of Economic Development may operate more

1 efficiently if some flexibility is provided to the Department of Economic
2 Development authorizing broad powers under this Section. Therefore, it is
3 both necessary and appropriate that the General Assembly maintain oversight
4 by requiring prior approval of the Legislative Council or Joint Budget
5 Committee as provided by this section. The requirement of approval by the
6 Legislative Council or Joint Budget Committee is not a severable part of this
7 section. If the requirement of approval by the Legislative Council or Joint
8 Budget Committee is ruled unconstitutional by a court of competent
9 jurisdiction, this entire section is void.

10 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
11 through June 30, ~~2007~~ 2009.

12
13 SECTION 34. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
14 by this act shall be limited to the appropriation for such agency and funds
15 made available by law for the support of such appropriations; and the
16 restrictions of the State Procurement Law, the General Accounting and
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
18 Procedures and Restrictions Act, or their successors, and other fiscal
19 control laws of this State, where applicable, and regulations promulgated by
20 the Department of Finance and Administration, as authorized by law, shall be
21 strictly complied with in disbursement of said funds.

22
23 SECTION 35. LEGISLATIVE INTENT. It is the intent of the General Assembly
24 that any funds disbursed under the authority of the appropriations contained
25 in this act shall be in compliance with the stated reasons for which this act
26 was adopted, as evidenced by the Agency Requests, Executive Recommendations
27 and Legislative Recommendations contained in the budget manuals prepared by
28 the Department of Finance and Administration, letters, or summarized oral
29 testimony in the official minutes of the Arkansas Legislative Council or
30 Joint Budget Committee which relate to its passage and adoption.

31
32 SECTION 36. EMERGENCY CLAUSE. It is found and determined by the General
33 Assembly, that the Constitution of the State of Arkansas prohibits the
34 appropriation of funds for more than a two (2) year period; that the
35 effectiveness of this Act on July 1, 2007 is essential to the operation of
36 the agency for which the appropriations in this Act are provided, and that in

1 the event of an extension of the Regular Session, the delay in the effective
2 date of this Act beyond July 1, 2007 could work irreparable harm upon the
3 proper administration and provision of essential governmental programs.
4 Therefore, an emergency is hereby declared to exist and this Act being
5 necessary for the immediate preservation of the public peace, health and
6 safety shall be in full force and effect from and after July 1, 2007.

7
8 */s/ Joint Budget Committee*

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10 *APPROVED: 4/5/2007*
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