

ARKANSAS SENATE
87th General Assembly - Regular Session, 2009
Amendment Form

JBC (Technical Correction)

Subtitle of Senate Bill No. 194

"AN ACT FOR THE ECONOMIC DEVELOPMENT COMMISSION APPROPRIATION FOR
THE 2009-2010 FISCAL YEAR."

Amendment No. 1 to Senate Bill No. 194.

Amend Senate Bill No. 194 as originally introduced:

Delete Section 23 in its entirety and substitute the following:

" SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION - INDUSTRY TRAINING. If during ~~either year of the 2007-2009~~ fiscal ~~biennium year~~, the Industry Training Division effects savings in Item ~~(05)~~ (08), ~~Industry Training Program~~ State Operations Section of this Act, such savings may be transferred to item (02), Extra Help or item (04), Maintenance and General Operations, of the ~~Industry Training~~ State Operations Section of this Act, after obtaining approval of the Chief Fiscal Officer of the State and after prior review by the Legislative Council or Joint Budget Committee. In addition, if any savings are effected in ~~either year of the 2007-2009~~ fiscal ~~biennium year~~ in item (04), Maintenance and General Operations, of the ~~Industry Training~~ State Operations Section of this Act, such savings may be transferred to item ~~(05)~~ (08), ~~Industry Training Program~~, of the ~~Industry Training~~ State Operations Section of this Act, after obtaining approval of the Chief Fiscal Officer of the State and after prior approval by the Legislative Council or Joint Budget Committee.

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



jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2007~~ 2009 through June 30, ~~2009~~ 2010."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Joint Budget Committee

MAH/MAH - 01-27-2009 12:41

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Secretary