

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.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

As Engrossed: S3/21/05 S4/6/05

# A Bill

SENATE BILL 78

5 By: Joint Budget Committee  
6  
7

## 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, 2007; AND FOR  
13 OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE DEPARTMENT OF ECONOMIC  
17 DEVELOPMENT APPROPRIATION FOR THE  
18 2005-2007 BIENNIUM.  
19  
20  
21

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 2005-2007 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  
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
29 Provided, however, that any position to which a specific maximum annual  
30 salary is set out herein in dollars, shall be exempt from the provisions of  
31 said Uniform Classification and Compensation Act. All persons occupying  
32 positions authorized herein are hereby governed by the provisions of the  
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
34 or its successor.  
35  
36

Maximum Annual



1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2005-2006	2006-2007
4	(1)	9900	ADED DIRECTOR	1	\$113,749	\$116,365
5	(2)	9813	ADED DEPUTY DIRECTOR	1	\$97,446	\$99,817
6	(3)	9910	ADED ENERGY DIR OF ESTABLISH INDUST	1	\$90,710	\$92,980
7	(4)	9817	DIR OF MINORITY BUSINESS PROGRAMS	1	\$90,710	\$92,980
8	(5)	9814	ADED DIRECTOR MARKETING	1	\$90,710	\$92,980
9	(6)	9812	ADED DIRECTOR INDUST FINANCE	1	\$90,710	\$92,980
10	(7)	9811	ADED DEPUTY DIR ECONOMIC DEV PLANNI	1	\$90,710	\$92,980
11	(8)	9810	ADED DIR ECON DEVELOPMENT	1	\$90,710	\$92,980
12	(9)	9793	ED DEPUTY DIRECTOR TRAINING	1	\$90,710	\$92,980
13	(10)	9816	POL C COMPLIANCE ASST COORD	1	\$86,069	\$88,254
14	(11)	9755	ADED ENVIRONMENTAL CONSULTANT	1	\$86,069	\$88,254
15	(12)	9754	ADED ADMR/EVAL/PLAN&MGMT SYSTEM	1	\$68,004	\$69,846
16	(13)	7355	ADED INVESTMENTS MANAGER/ASIA	1	\$68,004	\$69,846
17	(14)	906Z	ADED RESEARCH MANAGER	1	GRADE 25	
18	(15)	977Z	STATE ENERGY DEPUTY DIRECTOR	1	GRADE 25	
19	(16)	R379	STATE ECONOMIC DEVELOPER III	19	GRADE 25	
20	(17)	R080	STATISTICAL ANALYSIS MANAGER	1	GRADE 24	
21	(18)	D100	DP SENIOR PROJECT LEADER	1	GRADE 23	
22	(19)	E051	TRAINING PROJECT MANAGER	3	GRADE 22	
23	(20)	R127	ENERGY CONSERVATION PROGRAM ADMR	2	GRADE 22	
24	(21)	909Z	PROGRAM SUPPORT MANAGER	2	GRADE 22	
25	(22)	A032	AGENCY FISCAL MANAGER	2	GRADE 22	
26	(23)	A008	ACCOUNTING SUPERVISOR II	1	GRADE 21	
27	(24)	N293	DEVELOPMENT SPECIALIST	1	GRADE 21	
28	(25)	D036	SR PROGRAMMER/ANALYST	1	GRADE 21	
29	(26)	E049	INDUSTRIAL COORDINATOR	13	GRADE 21	
30	(27)	R348	COMMUNITY DEVELOPMENT CONSULTANT	5	GRADE 21	
31	(28)	D121	USER SUPPORT ANALYST	2	GRADE 20	
32	(29)	N333	MEDIA SPECIALIST	1	GRADE 20	
33	(30)	R004	STATE ENERGY PROGRAM COORDINATOR	2	GRADE 20	
34	(31)	R266	MANAGEMENT PROJECT ANALYST II	7	GRADE 20	
35	(32)	A038	FINANCIAL ANALYST	1	GRADE 20	
36	(33)	A110	ACCOUNTANT II	1	GRADE 19	

1	(34)	R150	RESEARCH PROJECT ANALYST	2	GRADE 19
2	(35)	R168	GRANTS COORDINATOR II	2	GRADE 19
3	(36)	D128	P C SUPPORT SPECIALIST	1	GRADE 18
4	(37)	N328	INFORMATION OFFICER II	1	GRADE 18
5	(38)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
6	(39)	R190	PERSONNEL OFFICER II	2	GRADE 17
7	(40)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17
8	(41)	R010	ADMINISTRATIVE ASSISTANT II	8	GRADE 17
9	(42)	R148	RESEARCH ASSISTANT	1	GRADE 15
10	(43)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	3	GRADE 14
11	(44)	K153	SECRETARY II	<u>5</u>	GRADE 13
12			MAX. NO. OF EMPLOYEES	108	

13  
 14 SECTION 2. *EXTRA HELP – STATE OPERATIONS.* There is hereby authorized, for  
 15 the Department of Economic Development – State Operations for the 2005-2007  
 16 biennium, the following maximum number of part-time or temporary employees,  
 17 to be known as "Extra Help", payable from funds appropriated herein for such  
 18 purposes: one (1) temporary or part-time employees, when needed, at rates of  
 19 pay not to exceed those provided in the Uniform Classification and  
 20 Compensation Act, or its successor, or this act for the appropriate  
 21 classification.

22  
 23 SECTION 3. *APPROPRIATION - STATE OPERATIONS.* There is hereby appropriated,  
 24 to the Department of Economic Development, to be payable from the Department  
 25 of Economic Development Fund Account, for personal services and operating  
 26 expenses of the Department of Economic Development - State Operations for the  
 27 biennial period ending June 30, 2007, the following:

29	ITEM	FISCAL YEARS	
30	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
31	(01) REGULAR SALARIES	\$ 2,643,958	\$ 2,718,487
32	(02) EXTRA HELP	10,000	10,000
33	(03) PERSONAL SERVICES MATCHING	714,386	728,176
34	(04) MAINT. & GEN. OPERATION		
35	(A) OPER. EXPENSE	1,397,457	1,397,457
36	(B) CONF. & TRAVEL	18,811	18,811

1	(C) PROF. FEES	2,214,315	2,214,315
2	(D) CAP. OUTLAY	0	0
3	(E) DATA PROC.	0	0
4	(05) FAR EAST TRADE/INDUSTRY RECRUITMENT	100,000	100,000
5	(06) LATIN AMERICAN TRADE DEVELOPMENT	<u>150,000</u>	<u>150,000</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 7,248,927</u>	<u>\$ 7,337,246</u>

7

8 SECTION 4. APPROPRIATION - COMMUNITY ASSISTANCE (CDBG) - FEDERAL. There is

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

10 from the federal funds as designated by the Chief Fiscal Officer of the

11 State, for personal services and operating expenses of the Department of

12 Economic Development - Community Assistance - Federal for the biennial period

13 ending June 30, 2007, the following:

15	ITEM	FISCAL YEARS	
16	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
17	(01) REGULAR SALARIES	\$ 227,167	\$ 233,979
18	(02) PERSONAL SERVICES MATCHING	69,587	70,868
19	(03) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSE	60,600	60,600
21	(B) CONF. & TRAVEL	25,000	25,000
22	(C) PROF. FEES	52,040	52,040
23	(D) CAP. OUTLAY	0	0
24	(E) DATA PROC.	0	0
25	(04) GRANTS/AIDS - CDBG	<u>36,987,130</u>	<u>36,987,130</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 37,421,524</u>	<u>\$ 37,429,617</u>

27

28 SECTION 5. APPROPRIATION - MOTION PICTURE DEVELOPMENT OFFICE. There is

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

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

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

32 Motion Picture Development Office for the biennial period ending June 30,

33 2007, the following:

35	ITEM	FISCAL YEARS	
36	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>

1	(01) REGULAR SALARIES	\$	68,004	\$	69,846
2	(02) PERSONAL SERVICES MATCHING		16,624		16,971
3	(03) MAINT. & GEN. OPERATION				
4	(A) OPER. EXPENSE		6,500		6,500
5	(B) CONF. & TRAVEL		0		0
6	(C) PROF. FEES		5,000		5,000
7	(D) CAP. OUTLAY		0		0
8	(E) DATA PROC.		<u>0</u>		<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	\$	<u>96,128</u>	\$	<u>98,317</u>

10

11 SECTION 6. APPROPRIATION - ESTABLISHED INDUSTRIES DIVISION - STATE. There  
 12 is hereby appropriated, to the Department of Economic Development, to be  
 13 payable from the Department of Economic Development Fund Account, for  
 14 personal services and operating expenses of the Department of Economic  
 15 Development - Established Industries Division - State for the biennial period  
 16 ending June 30, 2007, the following:

17

18	ITEM	FISCAL YEARS	
19	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
20	(01) REGULAR SALARIES	\$ 390,919	\$ 401,821
21	(02) PERSONAL SERVICES MATCHING	104,204	106,224
22	(03) MAINT. & GEN. OPERATION		
23	(A) OPER. EXPENSE	86,500	86,500
24	(B) CONF. & TRAVEL	0	0
25	(C) PROF. FEES	35,000	35,000
26	(D) CAP. OUTLAY	0	0
27	(E) DATA PROC.	<u>0</u>	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	\$ <u>616,623</u>	\$ <u>629,545</u>

29

30 SECTION 7. APPROPRIATION - STATE ENERGY PLAN - FEDERAL. There is hereby  
 31 appropriated, to the Department of Economic Development, to be payable from  
 32 the federal funds as designated by the Chief Fiscal Officer of the State, for  
 33 personal services and operating expenses of the Department of Economic  
 34 Development - State Energy Plan - Federal for the biennial period ending June  
 35 30, 2007, the following:

36

1	ITEM	FISCAL YEARS	
		2005-2006	2006-2007
2	<u>NO.</u>		
3	(01) REGULAR SALARIES	\$ 349,466	\$ 359,792
4	(02) PERSONAL SERVICES MATCHING	111,775	113,719
5	(03) MAINT. & GEN. OPERATION		
6	(A) OPER. EXPENSE	166,675	166,675
7	(B) CONF. & TRAVEL	29,573	29,573
8	(C) PROF. FEES	368,685	368,685
9	(D) CAP. OUTLAY	0	0
10	(E) DATA PROC.	0	0
11	(04) ENERGY CONSERVATION GRANTS AND AID	<u>653,179</u>	<u>653,179</u>
12	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,679,353</u>	<u>\$ 1,691,623</u>

13

14 SECTION 8. APPROPRIATION - BUSINESS DEVELOPMENT - STATE. There is hereby  
 15 appropriated, to the Department of Economic Development, to be payable from  
 16 the Department of Economic Development Fund Account, for personal services  
 17 and operating expenses of the Department of Economic Development - Business  
 18 Development - State for the biennial period ending June 30, 2007, the  
 19 following:

20

21	ITEM	FISCAL YEARS	
		2005-2006	2006-2007
22	<u>NO.</u>		
23	(01) REGULAR SALARIES	\$ 173,426	\$ 178,176
24	(02) PERSONAL SERVICES MATCHING	47,955	48,819
25	(03) MAINT. & GEN. OPERATION		
26	(A) OPER. EXPENSE	8,000	8,000
27	(B) CONF. & TRAVEL	5,000	5,000
28	(C) PROF. FEES	0	0
29	(D) CAP. OUTLAY	0	0
30	(E) DATA PROC.	<u>0</u>	<u>0</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 234,381</u>	<u>\$ 239,995</u>

32

33 SECTION 9. EXTRA HELP - INDUSTRY TRAINING. There is hereby authorized,  
 34 for the Department of Economic Development - Industry Training for the 2005-  
 35 2007 biennium, the following maximum number of part-time or temporary  
 36 employees, to be known as "Extra Help", payable from funds appropriated

1 herein for such purposes: ten (10) temporary or part-time employees, when  
 2 needed, at rates of pay not to exceed those provided in the Uniform  
 3 Classification and Compensation Act, or its successor, or this act for the  
 4 appropriate classification.

5  
 6 SECTION 10. APPROPRIATION - INDUSTRY TRAINING. There is hereby  
 7 appropriated, to the Department of Economic Development, to be payable from  
 8 the Department of Economic Development Fund Account, for personal services  
 9 and operating expenses of the Department of Economic Development - Industry  
 10 Training for the biennial period ending June 30, 2007, the following:

11

12 ITEM	FISCAL YEARS	
13 NO.	2005-2006	2006-2007
14 (01) REGULAR SALARIES	\$ 301,128	\$ 309,584
15 (02) EXTRA HELP	10,000	10,000
16 (03) PERSONAL SERVICES MATCHING	80,415	81,974
17 (04) MAINT. & GEN. OPERATION		
18 (A) OPER. EXPENSE	236,500	236,500
19 (B) CONF. & TRAVEL	7,475	7,475
20 (C) PROF. FEES	0	0
21 (D) CAP. OUTLAY	0	0
22 (E) DATA PROC.	0	0
23 (05) INDUSTRY TRAINING PROGRAM	<u>1,060,545</u>	<u>1,060,545</u>
24 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,696,063</u>	<u>\$ 1,706,078</u>

25  
 26 SECTION 11. APPROPRIATION - STATE MATCHING GRANTS. There is hereby  
 27 appropriated, to the Department of Economic Development, to be payable from  
 28 the Department of Economic Development Fund Account, for state matching of  
 29 federal grants to the Arkansas Economic Development Commission of the  
 30 Department of Economic Development for the biennial period ending June 30,  
 31 2007, the following:

32

33 ITEM	FISCAL YEARS	
34 NO.	2005-2006	2006-2007
35 (01) STATE MATCHING OF FEDERAL GRANTS	<u>\$ 228,500</u>	<u>\$ 228,500</u>

36

1 SECTION 12. APPROPRIATIONS - INCENTIVE PLANS - CASH. There is hereby  
 2 appropriated, to the Department of Economic Development, to be payable from  
 3 cash funds as defined by Arkansas Code 19-4-801 of the Department of Economic  
 4 Development, for expenses of assisting industries in the negotiation of  
 5 financial incentive plans of the Arkansas Economic Development Commission of  
 6 the Department of Economic Development for the biennial period ending June  
 7 30, 2007, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
(01) FINANCIAL INCENTIVE PLANS - EXPENSES	\$ 15,000	\$ 15,000

13 SECTION 13. APPROPRIATIONS - CENTURY TUBE SCHOLARSHIP PROGRAM. There is  
 14 hereby appropriated, to the Department of Economic Development, to be payable  
 15 from cash funds as defined by Arkansas Code 19-4-801 of the Department of  
 16 Economic Development, for a scholarship for American students to study in  
 17 Japan from funds received from the Century Tube Company for the Arkansas  
 18 Economic Development Commission of the Department of Economic Development for  
 19 the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
(01) CENTURY TUBE SCHOLARSHIP PROGRAM		
EDUCATIONAL EXPENSES	\$ 5,981	\$ 5,981

26 SECTION 14. APPROPRIATIONS - TRADE AND INTERNATIONAL INVESTMENT DIVISION.  
 27 There is hereby appropriated, to the Department of Economic Development, to  
 28 be payable from cash funds as defined by Arkansas Code 19-4-801 of the  
 29 Department of Economic Development, for marketing expenses of the Arkansas  
 30 Economic Development Commission of the Department of Economic Development for  
 31 the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
(01) TRADE AND INTERNATIONAL INVESTMENT		
MARKETING EXPENSES	\$ 13,725	\$ 13,725

1  
 2 SECTION 15. APPROPRIATIONS - QUALITY MANAGEMENT TASK FORCE. There is  
 3 hereby appropriated, to the Department of Economic Development, to be payable  
 4 from cash funds as defined by Arkansas Code 19-4-801 of the Department of  
 5 Economic Development, for the Quality Management Task Force expenses of the  
 6 Arkansas Economic Development Commission of the Department of Economic  
 7 Development for the biennial period ending June 30, 2007, the following:

8

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
(01) Q M TASK FORCE EXPENSES	<u>\$ 52,427</u>	<u>\$ 52,427</u>

12  
 13 SECTION 16. APPROPRIATIONS - PETROLEUM VIOLATION ESCROW - CASH. There is  
 14 hereby appropriated, to the Department of Economic Development, to be payable  
 15 from cash funds as defined by Arkansas Code 19-4-801 of the Department of  
 16 Economic Development, for the Department of Economic Development for  
 17 operating expenses and grants to approved projects from funds received from  
 18 settlements with petroleum companies and other miscellaneous cash funds of  
 19 the Department of Economic Development for the biennial period ending June  
 20 30, 2007, the following:

21

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 0	\$ 0
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	75,000	75,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(02) ENERGY CONSERVATION GRANTS AND AID	<u>609,904</u>	<u>609,904</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 684,904</u>	<u>\$ 684,904</u>

32  
 33 SECTION 17. APPROPRIATION - INDUSTRIAL COORDINATOR PROGRAM. There is  
 34 hereby appropriated, to the Department of Economic Development, to be payable  
 35 from the Department of Economic Development Fund Account, for personal  
 36 services and operating expenses of the Department of Economic Development -

1 Industrial Coordinator Program for the biennial period ending June 30, 2007,  
2 the following:

3		FISCAL YEARS	
4	ITEM		
5	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
6	(01) REGULAR SALARIES	\$ 563,245	\$ 580,096
7	(02) PERSONAL SERVICES MATCHING	155,810	158,978
8	(03) MAINT. & GEN. OPERATION		
9	(A) OPER. EXPENSE	87,200	87,200
10	(B) CONF. & TRAVEL	12,550	12,550
11	(C) PROF. FEES	0	0
12	(D) CAP. OUTLAY	0	0
13	(E) DATA PROC.	<u>0</u>	<u>0</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 818,805</u>	<u>\$ 838,824</u>

15  
16 SECTION 18. APPROPRIATION - SUPER PROJECTS. There is hereby appropriated,  
17 to the Department of Economic Development, to be payable from the Economic  
18 Development Superprojects Project Fund, for Super Projects of the Department  
19 of Economic Development for the biennial period ending June 30, 2007, the  
20 following:

21		FISCAL YEARS	
22	ITEM		
23	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
24	(01) SUPER PROJECTS	<u>\$ 200,000,000</u>	<u>\$ 200,000,000</u>

25  
26 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
28 FORWARD. The unexpended balances of appropriation provided for the  
29 expenditures of federal funds as provided for ~~the Community Development~~  
30 ~~Program in Section 4 of this Act~~ on June 30, ~~2004~~ 2006, shall be carried  
31 forward and made available for expenditures for the ~~Community Development~~  
32 ~~Block Grant Program same purpose~~ for the fiscal year ending June 30, ~~2005~~  
33 2007.

34 The provisions of this section shall be in effect only from July 1, ~~2003~~  
35 2005 through June 30, ~~2005~~ 2007.

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. At the close of the fiscal year ending June 30, ~~2004~~ 2006, any  
4 unexpended appropriation provided for the Century Tube Scholarship *Program*,  
5 ~~not to exceed \$30,000, within the appropriation for the Administration and~~  
6 ~~Support Program~~ shall be carried forward and made available for the same  
7 purposes for the fiscal year ending June 30, ~~2005~~ 2007. The provisions of  
8 this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30,  
9 ~~2005~~ 2007.

10  
11 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDUSTRY  
13 TRAINING PROGRAM EXPENSES. In addition to training expenses, funds made  
14 available to support the appropriation for INDUSTRY TRAINING PROGRAM ~~EXPENSES~~  
15 ~~within the appropriation for the Business Development Program~~ herein shall  
16 may be used to acquire capital equipment necessary to enhance the  
17 capabilities of the Arkansas Industry Training Programs and for expenses  
18 necessary to assist in carrying on the Existing Worker Training Program.  
19 When not in use in an AITP managed course of training, the equipment  
20 purchased under this provision shall be stored at a location to be determined  
21 by the Executive Director, ADED. The provisions of this section shall be in  
22 effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

23  
24 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOREIGN  
26 OFFICE OPERATIONS. The Arkansas Department of Economic Development is hereby  
27 authorized to enter into contractual arrangements with private and/or public  
28 companies, corporations or organizations for the purpose of operating foreign  
29 offices. At such time as any of the foreign offices are being operated under  
30 such a contractual arrangement, no Overseas Program personnel as authorized  
31 by Arkansas Code 15-4-211 shall be employed concurrently with a contractual  
32 arrangement with a company, corporation or organization. Arkansas Code 15-4-  
33 211 shall not be deemed restrictive in its language so as to preclude the use  
34 of standard Professional Services Contracts for the operation of the foreign  
35 offices and/or payment of such contracts from the special line items as  
36 established by legislative appropriation for the operation of said foreign

1 offices. The provisions of this section shall be in effect only from July 1,  
2 ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

3  
4 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MULTI-USE  
6 FACILITIES. The Arkansas Department of Economic Development (ADED) shall  
7 structure its annual update to the Five Year Consolidated Plan and the new  
8 Five Year Consolidated Plan to reflect the legislative intent for a priority  
9 to be placed on the use of Community Development Block Grant (CDBG) funds for  
10 Multi-use facilities that will offer combined facilities for programs  
11 commonly offered in separate facilities such as senior centers, public health  
12 centers, childcare centers and community centers. ADED shall report the  
13 methodology for complying with this priority to the ~~CDBG subcommittee~~ of  
14 Legislative Council. The provisions of this section shall be in effect only  
15 from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

16  
17 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC  
19 PARTICIPATION. Arkansas Department of Economic Development (ADED) shall make  
20 additional efforts to increase non-traditional public participation in its  
21 annual update to the Five Year Consolidated Plan and the new Five Year  
22 Consolidated Plan. These efforts shall be in addition to current public  
23 notification methods. Notification should be considered through direct mail-  
24 out to mayors and county judges, contacts with planning and development  
25 districts, contact with the Department of Rural Services, submissions to  
26 grant notification publications, and publication on ADED's web page. ADED is  
27 encouraged to develop additional innovative public awareness strategies.  
28 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005  
29 through June 30, ~~2005~~ 2007.

30  
31 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RURAL  
33 DEVELOPMENT. From the funds appropriated for COMMUNITY DEVELOPMENT GRANTS  
34 within the Community Development Program in this Act for Community  
35 Assistance-Federal, the Arkansas Department of Economic Development (ADED)  
36 shall allocate \$500,000 per fiscal year to the Rural Development Set-Aside

1 from the Economic Development Set-Aside, as defined in ADED's Consolidated  
2 Plan filed with the federal Department of Housing and Urban Development.  
3 Funds allocated to the Rural Development Set-Aside are to be used exclusively  
4 for grants to rural communities as defined in the Consolidated Plan. The  
5 provisions of this section shall be in effect only from July 1, ~~2003~~ 2005  
6 through June 30, ~~2005~~ 2007.

7  
8 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT  
10 REVIEW. The Arkansas Department of Economic Development (ADED) shall review  
11 all applications for grant funds from the Rural Development Set-Aside and  
12 shall certify to the Department of Rural Services those applications eligible  
13 for grant funds under ADED and federal guidelines. The Department of Rural  
14 Services alone shall decide which grant applications will be funded, and ADED  
15 shall disburse grant funds from the Rural Development Set-Aside to those  
16 applicants receiving final approval by the Department of Rural Services. ADED  
17 and the Department of Rural Services shall promulgate rules and regulations  
18 governing the application for and disbursement of grant funds from the Rural  
19 Development Set-Aside, and an annual report of the disposition of these grant  
20 funds shall be made to the Legislative Joint Auditing Committee. The  
21 provisions of this section shall be in effect only from July 1, ~~2003~~ 2005  
22 through June 30, ~~2005~~ 2007.

23  
24 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
25 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
26 PROVISION - FOREIGN OFFICES. If at any time during the 2005-2007 biennium,  
27 the Director determines that market conditions warrant, the Arkansas Economic  
28 Development Commission is hereby authorized to transfer appropriation, after  
29 receiving the approval of the Chief Fiscal Officer of the State and prior  
30 review by the Legislative Council or Joint Budget Committee, between either  
31 of the two Foreign Offices (Far East Trade/Industrial Recruitment and Latin  
32 American Trade Development) in Section 3 of this Act for the purpose of  
33 responding to changes in the world markets. The provisions of this section  
34 shall be in effect only from July 1, 2005 through June 30, 2007.

35  
36 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE

1 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
2 PROVISION. If at any time during the 2005-2007 biennium, savings are  
3 accomplished in the appropriation provided for "Far East Trade/Industry  
4 Recruitment", "Latin American Trade", and "Regular Salaries" in Section 3 of  
5 this Act, such appropriation savings may be transferred to the appropriations  
6 made for "Maintenance and General Operations" in Section 3 of this Act after  
7 prior review by the Legislative Council or Joint Budget Committee. In  
8 addition, if at any time during the 2005-2007 biennium, savings are  
9 accomplished in the appropriation provided for "Maintenance and General  
10 Operations" in Section 3 of this Act, such appropriation savings may be  
11 transferred to the appropriation for "Far East Trade/Industry Recruitment"  
12 and "Latin American Trade" in Section 3 of this Act, after prior review by  
13 the Legislative Council or Joint Budget Committee. The provisions of this  
14 section shall be in effect only from July 1, 2005 through June 30, 2007.  
15

16 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
17 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
18 PROVISION. After receiving approval from the Chief Fiscal Officer of the  
19 State and prior review by the Legislative Council or Joint Budget Committee,  
20 the Director of the Arkansas Economic Development Commission is authorized to  
21 transfer appropriation from any line item appropriation authorized in Section  
22 4 of this Act to any other line item authorized in Section 4 of this Act. The  
23 provisions of this section shall be in effect only from July 1, 2005 through  
24 June 30, 2007.  
25  
26

27 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
28 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FLEXIBILITY  
29 RESTRICTIONS. The carry forward and transfer flexibility provided to the  
30 Arkansas Economic Development Commission within this Act relating to the  
31 appropriation in Section 4 shall be used only when necessary to carry out the  
32 Community Development Block Grant Program. The provisions of this section  
33 shall be in effect only from July 1, 2005 through June 30, 2007.  
34

35 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
36 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

1 PROVISION - INDUSTRY TRAINING. If during either year of the 2005-2007 fiscal  
2 biennium, the Industry Training Division effects savings in Item (05),  
3 INDUSTRY TRAINING PROGRAM, of Section 10 of this Act, such savings may be  
4 transferred to item (02), Extra Help or item (04), Maintenance and General  
5 Operations, of Section 10 of this Act, after obtaining approval of the Chief  
6 Fiscal Officer of the State and after prior review by the Legislative Council  
7 or Joint Budget Committee. In addition, if any savings are effected in either  
8 year of the 2005-2007 fiscal biennium in item (04), Maintenance and General  
9 Operations, of Section 10 of this Act, such savings may be transferred to  
10 item (05), Industry Training Program, of Section 10 of this Act, after  
11 obtaining approval of the Chief Fiscal Officer of the State and after prior  
12 review by the Legislative Council or Joint Budget Committee. The provisions  
13 of this section shall be in effect only from July 1, 2005 through June 30,  
14 2007.

15  
16 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
17 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
18 PROVISION - INDUSTRY TRAINING PROGRAM. During either fiscal year of the  
19 2005-2007 biennium any savings accomplished in line item (02) of Section 10  
20 of this Act, Extra Help, may be transferred to line item (04) of Section 10  
21 of this Act, Maintenance and General Operation after prior review by the  
22 Legislative Council or Joint Budget Committee. The provisions of this section  
23 shall be in effect only from July 1, 2005 through June 30, 2007.

24  
25 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
26 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF  
27 FUNDS. Immediately upon the effective date of this Act, the Chief Fiscal  
28 Officer of the State shall transfer on his books and those of the State  
29 Treasurer and the Auditor of State all remaining balances held in the  
30 Industry and Aerospace Development Fund to the Executive Discretionary  
31 Division of the 85<sup>th</sup> Session Projects Account within the General Improvement  
32 Fund, or its successor fund or fund accounts, for the sole benefit of the  
33 Department of Economic Development for providing funding for grants to cities  
34 and counties to provide financial assistance necessary to undertake public  
35 works projects and/or job training efforts which support private sector job  
36 creation opportunities, alleviate conditions which constitute a threat to

1 public health and well being, or partially defray the costs of providing  
2 access to publicly owned industrial parks; and for expansion of the aircraft  
3 and aerospace industry, and for port and waterway economic development  
4 projects.

5  
6 SECTION 34. Arkansas Title 15, Chapter 4, Subchapter 15 is repealed.

7 ~~15-4-1501. Creation.~~

8 ~~There is created and established at the seat of government of this state a~~  
9 ~~commission to be known as the "Arkansas Aviation and Aerospace Commission",~~  
10 ~~hereinafter referred to as the "commission".~~

11 ~~15-4-1502. Members.~~

12 ~~(a) The Arkansas Aviation and Aerospace Commission shall consist of~~  
13 ~~thirteen (13) members who shall be residents and qualified electors of this~~  
14 ~~state.~~

15 ~~(b) The commission shall include eight (8) members who shall be appointed~~  
16 ~~by the Governor subject to confirmation by the Senate. Three (3) members of~~  
17 ~~the commission shall be the Director of the Department of Economic~~  
18 ~~Development, the President of the Arkansas Development Finance Authority, and~~  
19 ~~the Chief Fiscal Officer of the State.~~

20 ~~(c) The Governor shall appoint two (2) members from each congressional~~  
21 ~~district as the districts were constituted at the time of the passage of this~~  
22 ~~subchapter.~~

23 ~~(d) The eight (8) members so appointed by the Governor shall be~~  
24 ~~representatives of the private sector of the state, and four (4) of the~~  
25 ~~members so appointed shall be persons with knowledge and experience in the~~  
26 ~~fields of:~~

27 ~~(1) Aviation and aerospace manufacturing, operation, or repair;~~

28 ~~(2) Banking and finance;~~

29 ~~(3) Business and industry; and~~

30 ~~(4) Education.~~

31 ~~(e) There shall be one (1) member appointed by the President Pro Tempore~~  
32 ~~of the Senate and one (1) member appointed by the Speaker of the House of~~  
33 ~~Representatives.~~

34 ~~(f)(1) Members appointed by the Governor shall serve for terms of four~~  
35 ~~(4) years each.~~

36 ~~(2) Members appointed by the Speaker of the House of Representatives~~

1 ~~and President Pro Tempore of the Senate shall serve two-year terms.~~

2 ~~(3) Members shall hold office for the terms of their appointments and~~  
3 ~~until their successors shall have been appointed and qualified.~~

4 ~~(g) In the event of a vacancy in the membership of the commission, the~~  
5 ~~vacancy shall be filled by appointment by the appointing authority for the~~  
6 ~~remainder of the unexpired portion of the term of the member.~~

7 ~~(h) A member of the commission may be removed by the appointing authority~~  
8 ~~for cause stated in writing after a hearing thereon or upon joint address by~~  
9 ~~a majority of both houses of the General Assembly at a special or regular~~  
10 ~~session thereof.~~

11 ~~(i) Members of the commission shall serve without pay but may receive~~  
12 ~~expense reimbursement in accordance with § 25-16-901 et seq.~~

13  
14 ~~15-4-1503. Organization and meetings.~~

15 ~~(a) Members shall annually elect from their membership one (1) member as~~  
16 ~~chair and one (1) member as vice chair.~~

17 ~~(b) The Director of the Department of Economic Development shall be ex~~  
18 ~~officio Secretary of the Arkansas Aviation and Aerospace Commission, and the~~  
19 ~~Department of Economic Development shall provide staff support as required~~  
20 ~~for the administration and operation of the commission.~~

21 ~~(c) The commission shall adopt and may modify rules for the conduct of~~  
22 ~~its business and shall keep a public record of its transactions, findings,~~  
23 ~~and determinations.~~

24 ~~(d) The rules shall provide for regular meetings and for special meetings~~  
25 ~~at the call of the chair or upon the request of at least five (5) members.~~

26 ~~(e) A quorum shall consist of not fewer than eight (8) members present at~~  
27 ~~any regular or special meeting, and an affirmative vote of that number shall~~  
28 ~~be necessary for the disposition of any business.~~

29 ~~15-4-1504. Objectives and purposes.~~

30 ~~The objectives and purposes of the Arkansas Aviation and Aerospace~~  
31 ~~Commission shall be to:~~

32 ~~(1) Foster and encourage the establishment, location, expansion, and~~  
33 ~~development of the aviation and aerospace industry in the state;~~

34 ~~(2) Create new job opportunities for Arkansas citizens at wage scales~~  
35 ~~which are greater than the state average for manufacturing industries;~~

36 ~~(3) Assign resources to educate and train Arkansas citizens to a new~~

1 ~~and higher level of skills for high technology industries;~~

2 ~~(4) Provide competitive inducements to attract new and expanding~~  
3 ~~aviation and aerospace employers;~~

4 ~~(5) Assist in building and equipping new or expanded aviation and~~  
5 ~~aerospace manufacturing and infrastructure facilities within the state; and~~

6 ~~(6) Aid local and regional governmental entities in the establishment,~~  
7 ~~location, expansion, and development of aviation and aerospace industries in~~  
8 ~~all regions of the state.~~

9 ~~15-4-1505. Functions, powers, and duties.~~

10 ~~(a) The Arkansas Aviation and Aerospace Commission shall have and be~~  
11 ~~subject to all functions, powers, and duties imposed upon it by this~~  
12 ~~subchapter.~~

13 ~~(b) For the purpose of regulating its own procedures and carrying out its~~  
14 ~~functions, the commission shall have the authority from time to time to make,~~  
15 ~~amend, and enforce all reasonable rules or regulations not inconsistent with~~  
16 ~~law which will aid in the performance of any of the functions, powers, or~~  
17 ~~duties conferred or imposed upon it by law.~~

18 ~~(c) The commission may purchase, receive, lease as lessee, or in any~~  
19 ~~other manner acquire, own, hold, maintain, sell, exchange, and use any and~~  
20 ~~all real or personal property or any interest therein.~~

21 ~~(d) It shall be the function, power, and duty of the commission to~~  
22 ~~administer the fund known as the "Arkansas Aviation and Aerospace Industry~~  
23 ~~Development Fund", hereinafter "fund".~~

24 ~~(e) The Secretary of the Arkansas Aviation and Aerospace Commission shall~~  
25 ~~provide quarterly reports to the Chief Fiscal Officer of the State regarding~~  
26 ~~failure of any recipient of funds to comply with the terms of any~~  
27 ~~disbursement agreement, the criteria set out in this subchapter, or any rule~~  
28 ~~or regulation promulgated by the Chief Fiscal Officer of the State with~~  
29 ~~regard to the fund.~~

30 ~~15-4-1506. Receipt of loans and financial assistance.~~

31 ~~(a) Any entity of local government or airport authority, hereinafter the~~  
32 ~~"applicant", who qualifies under the criteria provided in this subchapter and~~  
33 ~~other criteria as determined by the Arkansas Aviation and Aerospace~~  
34 ~~Commission, may receive loans or other financial assistance from the Arkansas~~  
35 ~~Aviation and Aerospace Industry Development Fund for expenses related to~~  
36 ~~establishment, relocation, expansion, or development of aviation and~~

1 ~~aerospace industries in the State of Arkansas.~~

2 ~~(b) Any governing body of a municipal airport wherein is located a~~  
3 ~~military installation slated for closure or any governing body of a municipal~~  
4 ~~airport located within thirty (30) miles of a military installation slated~~  
5 ~~for closure by the Federal Base Realignment and Closure Commission, provided~~  
6 ~~that the military installation exceeds thirty thousand (30,000) acres of~~  
7 ~~total land area, for which the governing body has received a federal grant~~  
8 ~~for development of the municipal airport, shall hereinafter be referred to as~~  
9 ~~a "special target applicant" and may receive loans or other financial~~  
10 ~~assistance from the fund for expenses related to establishment, relocation,~~  
11 ~~expansion, or development of aviation and aerospace industries without~~  
12 ~~qualifying for all the criteria required in this subchapter.~~

13  
14 ~~15-4-1507. Loan criteria.~~

15 ~~(a) The Arkansas Aviation and Aerospace Commission shall have the~~  
16 ~~authority to determine the structure, amount, and nature of any loan or other~~  
17 ~~financial assistance from the fund, subject to the following criteria, except~~  
18 ~~that special target applicants do not have to meet the criteria in~~  
19 ~~subdivisions (a)(1) and (2) of this section:~~

20 ~~(1) The applicant shall provide certification that not fewer than~~  
21 ~~fifty (50) net new full time equivalent jobs will be created as a result of~~  
22 ~~the financial assistance provided under this subchapter;~~

23 ~~(2) The applicant shall provide certification that the jobs created~~  
24 ~~shall generate a quarterly average weekly wage per employee equal to or~~  
25 ~~greater than one hundred ten percent (110%) of the state average weekly wage~~  
26 ~~per employee for manufacturing industries for the immediately preceding~~  
27 ~~calendar year as reported in the Covered Employment and Earnings report~~  
28 ~~published by the Arkansas Employment Security Department; and~~

29 ~~(3) Any applicant or special target applicant receiving financial~~  
30 ~~assistance from the Arkansas Aviation and Aerospace Industry Development Fund~~  
31 ~~shall make available to the commission such employee and wage information as~~  
32 ~~may be required by the commission to verify compliance with the requirements~~  
33 ~~of this section.~~

34 ~~(b)(1) The commission shall establish procedures to quantify the benefit~~  
35 ~~and return to this state and its citizens from the provision of financial~~  
36 ~~assistance from the fund.~~

1 ~~(2) The commission shall establish as a goal the return of any state~~  
2 ~~investment made under this subchapter within eight (8) years of the provision~~  
3 ~~of financial assistance.~~

4 ~~(3) The state's return shall be measured using the following criteria:~~

5 ~~(A) Number of jobs;~~

6 ~~(B) Level of pay per job;~~

7 ~~(C) Company's capital investment;~~

8 ~~(D) Length of commitment of jobs by the company;~~

9 ~~(E) Training and educational needs;~~

10 ~~(F) "Take back" provisions;~~

11 ~~(G) Public and private participation in project funding; and~~

12 ~~(H) Other criteria as established by the commission.~~

13 ~~(4) In applying the formula, the commission shall determine that~~  
14 ~~funding the project will result in economic activity within the state that~~  
15 ~~provides a revenue neutral or revenue positive impact on the state's current~~  
16 ~~general revenues.~~

17 ~~(5) Special target applicants do not have to meet the criteria~~  
18 ~~specified in this subsection to measure the return to the state or to meet~~  
19 ~~the goal of a return of any state investment within eight (8) years.~~

20 ~~(c)(1) The Director of the Department of Economic Development shall enter~~  
21 ~~into an agreement with each successful applicant or special target applicant~~  
22 ~~that shall include the specific terms and conditions of the financial~~  
23 ~~assistance to be provided.~~

24 ~~(2) These terms shall include a "take back" provision in the event the~~  
25 ~~applicant fails to meet the terms of the agreement.~~

26 ~~(3) Any legal recourse set out by this section shall be pursued by the~~  
27 ~~Chief Fiscal Officer of the State.~~

28 ~~(d)(1) Any applicant or special target applicant receiving assistance~~  
29 ~~from the fund shall be liable to repay any assistance received if it does not~~  
30 ~~comply with:~~

31 ~~(A) The terms of any disbursement agreement;~~

32 ~~(B) The criteria set out in this subchapter, except when special~~  
33 ~~target applicants are exempt; and~~

34 ~~(C) Any rule or regulation promulgated by the Chief Fiscal Officer~~  
35 ~~of the State with regard to the fund.~~

36 ~~(2) The repayment shall be made to the Chief Fiscal Officer of the~~

1 ~~State and credited to the fund.~~

2 ~~(3) The Chief Fiscal Officer of the State may bring any lawful action~~  
3 ~~to recover any amount for which the recipient is liable.~~

4 ~~15-4-1508. Enterprise zone benefits.~~

5 ~~Any industry which locates a facility at a municipal airport which~~  
6 ~~qualifies as a special target applicant under § 15-4-1506 shall be entitled~~  
7 ~~to the benefits of the Arkansas Enterprise Zone Act of 1993, § 15-4-1701 et~~  
8 ~~seq., for that facility, regardless of whether the industry would otherwise~~  
9 ~~qualify for the benefits of the Arkansas Enterprise Zone Act of 1993, § 15-4-~~  
10 ~~1701 et seq.~~

11  
12 SECTION 35. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
13 by this act shall be limited to the appropriation for such agency and funds  
14 made available by law for the support of such appropriations; and the  
15 restrictions of the State Procurement Law, the General Accounting and  
16 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
17 Procedures and Restrictions Act, or their successors, and other fiscal  
18 control laws of this State, where applicable, and regulations promulgated by  
19 the Department of Finance and Administration, as authorized by law, shall be  
20 strictly complied with in disbursement of said funds.

21  
22 SECTION 36. LEGISLATIVE INTENT. It is the intent of the General Assembly  
23 that any funds disbursed under the authority of the appropriations contained  
24 in this act shall be in compliance with the stated reasons for which this act  
25 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
26 and Legislative Recommendations contained in the budget manuals prepared by  
27 the Department of Finance and Administration, letters, or summarized oral  
28 testimony in the official minutes of the Arkansas Legislative Council or  
29 Joint Budget Committee which relate to its passage and adoption.

30  
31 SECTION 37. EMERGENCY CLAUSE. It is found and determined by the General  
32 Assembly, that the Constitution of the State of Arkansas prohibits the  
33 appropriation of funds for more than a two (2) year period; that the  
34 effectiveness of this Act on July 1, 2005 is essential to the operation of  
35 the agency for which the appropriations in this Act are provided, and that in  
36 the event of an extension of the Regular Session, the delay in the effective

1 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
2 proper administration and provision of essential governmental programs.  
3 Therefore, an emergency is hereby declared to exist and this Act being  
4 necessary for the immediate preservation of the public peace, health and  
5 safety shall be in full force and effect from and after July 1, 2005.

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*/s/ Joint Budget Committee*