

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 86th General Assembly
3 Regular Session, 2007

A Bill

SENATE BILL 175

4
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, 2009; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF ECONOMIC
17 DEVELOPMENT APPROPRIATION FOR THE
18 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
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.
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36 Maximum Annual



1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2007-2008	2008-2009
4	(1)	9900	ADED DIRECTOR	1	\$118,692	\$121,065
5	(2)	9813	ADED DEPUTY DIRECTOR	1	\$101,813	\$103,849
6	(3)	9910	ADED ENERGY DIR OF ESTABLISH INDUST	1	\$94,839	\$96,735
7	(4)	9817	DIR OF MINORITY BUSINESS PROGRAMS	1	\$94,839	\$96,735
8	(5)	9814	ADED DIRECTOR MARKETING	1	\$94,839	\$96,735
9	(6)	9812	ADED DIRECTOR INDUST FINANCE	1	\$94,839	\$96,735
10	(7)	9811	ADED DEPUTY DIR ECONOMIC DEV PLANNI	1	\$94,839	\$96,735
11	(8)	9810	ADED DIR ECON DEVELOPMENT	1	\$94,839	\$96,735
12	(9)	9793	ED DEPUTY DIRECTOR TRAINING	1	\$94,839	\$96,735
13	(10)	9816	POL C COMPLIANCE ASST COORD	1	\$90,019	\$91,819
14	(11)	9755	ADED ENVIRONMENTAL CONSULTANT	1	\$90,019	\$91,819
15	(12)	9754	ADED ADMR/EVAL/PLAN&MGMT SYSTEM	1	\$71,242	\$72,666
16	(13)	7355	ADED INVESTMENTS MANAGER/ASIA	1	\$71,242	\$72,666
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	3	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	12	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	1	GRADE 17
7	(40)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17
8	(41)	R010	ADMINISTRATIVE ASSISTANT II	7	GRADE 17
9	(42)	R148	RESEARCH ASSISTANT	1	GRADE 15
10	(43)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
11	(44)	K153	SECRETARY II	<u>2</u>	GRADE 13
12			MAX. NO. OF EMPLOYEES	101	

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

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

ITEM	FISCAL YEARS	
	2007-2008	2008-2009
NO.		
(01) REGULAR SALARIES	\$ 2,702,543	\$ 2,756,564
(02) EXTRA HELP	10,000	10,000
(03) PERSONAL SERVICES MATCHING	769,393	780,491
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	1,453,650	1,412,900
(B) CONF. & TRAVEL	61,811	61,811

1	(C) PROF. FEES	1,247,250	1,247,250
2	(D) CAP. OUTLAY	244,100	0
3	(E) DATA PROC.	0	0
4	(05) FAR EAST TRADE/INDUSTRY RECRUITMENT	150,000	150,000
5	(06) LATIN AMERICAN TRADE DEV	150,000	150,000
6	(07) ECONOMIC INFRASTRUCTURE PRGM	<u>5,000,000</u>	<u>5,000,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 11,788,747</u>	<u>\$ 11,569,016</u>

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

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

28

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

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

11

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

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

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31 SECTION 7. APPROPRIATION - STATE ENERGY PLAN - FEDERAL. There is hereby
 32 appropriated, to the Department of Economic Development, to be payable from
 33 the federal funds as designated by the Chief Fiscal Officer of the State, for
 34 personal services and operating expenses of the Department of Economic
 35 Development - State Energy Plan - Federal for the biennial period ending June
 36 30, 2009, the following:

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

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

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

SECTION 9. EXTRA HELP - INDUSTRY TRAINING. There is hereby authorized, for the Department of Economic Development - Industry Training for the 2007-2009 biennium, the following maximum number of part-time or temporary

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

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

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

27
 28 SECTION 11. APPROPRIATION - STATE MATCHING GRANTS. There is hereby
 29 appropriated, to the Department of Economic Development, to be payable from
 30 the Department of Economic Development Fund Account, for state matching of
 31 federal grants to the Arkansas Economic Development Commission of the
 32 Department of Economic Development for the biennial period ending June 30,
 33 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009

1 (01) FOR STATE MATCHING OF FEDERAL GRANTS \$ 228,500 \$ 228,500

2

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

9

10 ITEM	FISCAL YEARS	
11 NO.	2007-2008	2008-2009
12 (01) FINANCIAL INCENTIVE PLANS - EXPENSES	\$ <u>15,000</u>	\$ <u>15,000</u>

13

14 SECTION 13. APPROPRIATIONS - CENTURY TUBE SCHOLARSHIP PROGRAM. There is
15 hereby appropriated, to the Department of Economic Development, to be payable
16 from cash funds as defined by Arkansas Code 19-4-801 of the Department of
17 Economic Development, for a scholarship for American students to study in
18 Japan from funds received from the Century Tube Company for the Arkansas
19 Economic Development Commission of the Department of Economic Development for
20 the biennial period ending June 30, 2009, the following:

21

22 ITEM	FISCAL YEARS	
23 NO.	2007-2008	2008-2009
24 (01) CENTURY TUBE SCHOLARSHIP PROGRAM		
25 EDUCATIONAL EXPENSES	\$ <u>5,980</u>	\$ <u>5,980</u>

26

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

33

34 ITEM	FISCAL YEARS	
35 NO.	2007-2008	2008-2009
36 (01) TRADE AND INTERNATIONAL INVESTMENT		

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

8

9 SECTION 18. APPROPRIATIONS - SMALL BUSINESS DEVELOPMENT - CASH. There is

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

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

12 Economic Development, for assisting small businesses in the development of

13 successful working business plans for the biennial period ending June 30,

14 2009, the following:

15			
16	ITEM	FISCAL YEARS	
17	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
18	(01) MAINT. & GEN. OPERATION		
19	(A) OPER. EXPENSE	\$ 10,000	\$ 10,000
20	(B) CONF. & TRAVEL	0	0
21	(C) PROF. FEES	0	0
22	(D) CAP. OUTLAY	0	0
23	(E) DATA PROC.	<u>0</u>	<u>0</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 10,000</u>	<u>\$ 10,000</u>

25

26 SECTION 19. APPROPRIATION - SUPER PROJECTS. There is hereby appropriated,

27 to the Department of Economic Development, to be payable from the Economic

28 Development Superprojects Project Fund, for Super Projects of the Department

29 of Economic Development for the biennial period ending June 30, 2009, the

30 following:

31			
32	ITEM	FISCAL YEARS	
33	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
34	(01) SUPER PROJECTS	<u>\$ 200,000,000</u>	<u>\$ 200,000,000</u>

35

36 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
2 FORWARD. The unexpended balances of appropriation provided for the
3 expenditures of federal funds as provided for in Section 4 of this Act on
4 June 30, ~~2006~~ 2008, shall be carried forward and made available for
5 expenditures for the same purpose for the fiscal year ending June 30, ~~2007~~
6 2009.

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

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

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

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

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

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

36

1 SECTION 21. 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, ~~2006~~ 2008, any
4 unexpended appropriation provided for the Century Tube Scholarship Program
5 shall be carried forward and made available for the same purposes for the
6 fiscal year ending June 30, ~~2007~~ 2009.

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

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

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

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

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

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

36

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

12 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOREIGN
14 OFFICE OPERATIONS. The Arkansas Department of Economic Development is hereby
15 authorized to enter into contractual arrangements with private and/or public
16 companies, corporations, individuals or organizations for the purpose of
17 operating foreign offices. At such time as any of the foreign offices are
18 being operated under such a contractual arrangement, no Overseas Program
19 personnel as authorized by Arkansas Code 15-4-211 shall be employed
20 concurrently ~~with~~ under a contractual arrangement with ~~a~~ another company,
21 corporation, individual or organization. Arkansas Code 15-4-211 shall not be
22 deemed restrictive in its language so as to preclude the use of standard
23 Professional Services Contracts for the operation of the foreign offices
24 and/or payment of such contracts from the special line items as established
25 by legislative appropriation for the operation of said foreign offices. The
26 provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
27 through June 30, ~~2007~~ 2009.

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

1 centers, childcare centers and community centers. ADED shall report the
2 methodology for complying with this priority to the Legislative Council. The
3 provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
4 through June 30, ~~2007~~ 2009.

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

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

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

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

12

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

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

1 severable part of this section. If the requirement of approval by the
 2 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
 3 court of competent jurisdiction, this entire section is void.

4 The provisions of this section shall be in effect only from July 1, 2005
 5 2007 through June 30, ~~2007~~ 2009.

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

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

1 Budget Committee is ruled unconstitutional by a court of competent
 2 jurisdiction, this entire section is void.

3 The provisions of this section shall be in effect only from July 1, 2005
 4 2007 through June 30, ~~2007~~ 2009.

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

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

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

33
 34 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 36 FLEXIBILITY RESTRICTIONS. The carry forward and transfer flexibility

1 provided to the Arkansas Economic Development Commission within this Act
 2 relating to the appropriation in the Community Assistance (CDBG) - Federal
 3 Section 4 shall be used only when necessary to carry out the Community
 4 Development Block Grant Program and shall require approval by the Arkansas
 5 Legislative Council or Joint Budget Committee.

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

22 The provisions of this section shall be in effect only from July 1, 2005
 23 2007 through June 30, ~~2007~~ 2009.

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

1 (05), Industry Training Program, of the Industry Training Section ~~10~~ of this
 2 Act, after obtaining approval of the Chief Fiscal Officer of the State and
 3 after prior ~~review~~ approval by the Legislative Council or Joint Budget
 4 Committee.

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

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

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

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

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

14

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

24

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

33

34 SECTION 36. EMERGENCY CLAUSE. It is found and determined by the General
35 Assembly, that the Constitution of the State of Arkansas prohibits the
36 appropriation of funds for more than a two (2) year period; that the

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

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