

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  
4

*As Engrossed: S2/19/07*  
**A Bill**

SENATE BILL 175

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.  
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 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.  
35

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	

13

14 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for  
 15 the Department of Economic Development – State Operations for the 2007-2009  
 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, 2009, the following:

28

29	ITEM		FISCAL YEARS	
30	<u>NO.</u>		<u>2007-2008</u>	<u>2008-2009</u>
31	(01)	REGULAR SALARIES	\$ 2,702,543	\$ 2,756,564
32	(02)	EXTRA HELP	10,000	10,000
33	(03)	PERSONAL SERVICES MATCHING	769,393	780,491
34	(04)	MAINT. & GEN. OPERATION		
35	(A)	OPER. EXPENSE	1,453,650	1,412,900
36	(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>

8  
 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:

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:

36	ITEM	FISCAL YEARS	
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NO.		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>

11

SECTION 6. APPROPRIATION - ESTABLISHED INDUSTRIES DIVISION - 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 - Established Industries Division - State for the biennial period ending June 30, 2009, the following:

18

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>

30

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

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.

6

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:

12

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

34

35 ITEM	FISCAL YEARS	
36 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>

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

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

13

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

21

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
24 (01) CENTURY TUBE PROGRAM		
25 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

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
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:

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:

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 Program shall be  
5 carried forward and made available for the same purposes for the fiscal year  
6 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.

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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.

9  
10 */s/ Joint Budget Committee*  
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