

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 S3/19/07 S3/26/07*

# 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)	9858	MANAGER INTERNATIONAL RELATIONS	1	\$94,839	\$96,735
8	(5)	9817	DIR OF MINORITY BUSINESS PROGRAMS	1	\$94,839	\$96,735
9	(6)	9814	ADED DIRECTOR MARKETING	1	\$94,839	\$96,735
10	(7)	9812	ADED DIRECTOR INDUST FINANCE	1	\$94,839	\$96,735
11	(8)	9811	ADED DEPUTY DIR ECONOMIC DEV PLANNI	1	\$94,839	\$96,735
12	(9)	9810	ADED DIR ECON DEVELOPMENT	1	\$94,839	\$96,735
13	(10)	9793	ED DEPUTY DIRECTOR TRAINING	1	\$94,839	\$96,735
14	(11)	9816	POL C COMPLIANCE ASST COORD	1	\$90,019	\$91,819
15	(12)	9755	ADED ENVIRONMENTAL CONSULTANT	1	\$90,019	\$91,819
16	(13)	9754	ADED ADMR/EVAL/PLAN&MGMT SYSTEM	1	\$71,242	\$72,666
17	(14)	7355	ADED INVESTMENTS MANAGER/ASIA	1	\$71,242	\$72,666
18	(15)	906Z	ADED RESEARCH MANAGER	1		GRADE 25
19	(16)	977Z	STATE ENERGY DEPUTY DIRECTOR	1		GRADE 25
20	(17)	R379	STATE ECONOMIC DEVELOPER III	33		GRADE 25
21	(18)	R080	STATISTICAL ANALYSIS MANAGER	1		GRADE 24
22	(19)	D100	DP SENIOR PROJECT LEADER	1		GRADE 23
23	(20)	E051	TRAINING PROJECT MANAGER	3		GRADE 22
24	(21)	R127	ENERGY CONSERVATION PROGRAM ADMR	3		GRADE 22
25	(22)	909Z	PROGRAM SUPPORT MANAGER	2		GRADE 22
26	(23)	A032	AGENCY FISCAL MANAGER	2		GRADE 22
27	(24)	A008	ACCOUNTING SUPERVISOR II	1		GRADE 21
28	(25)	N293	DEVELOPMENT SPECIALIST	1		GRADE 21
29	(26)	D036	SR PROGRAMMER/ANALYST	1		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	6		GRADE 20
35	(32)	A110	ACCOUNTANT II	1		GRADE 19
36	(33)	R150	RESEARCH PROJECT ANALYST	2		GRADE 19

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

12

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

21

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

27

28	ITEM		FISCAL YEARS	
29	<u>NO.</u>		<u>2007-2008</u>	<u>2008-2009</u>
30	(01)	REGULAR SALARIES	\$ 2,797,382	\$ 2,853,299
31	(02)	EXTRA HELP	10,000	10,000
32	(03)	PERSONAL SERVICES MATCHING	792,798	804,279
33	(04)	MAINT. & GEN. OPERATION		
34	(A)	OPER. EXPENSE	1,453,650	1,412,900
35	(B)	CONF. & TRAVEL	61,811	61,811
36	(C)	PROF. FEES	1,247,250	1,247,250

1	(D) CAP. OUTLAY	244,100	0
2	(E) DATA PROC.	0	0
3	(05) FAR EAST TRADE/INDUSTRY RECRUITMENT	150,000	150,000
4	(06) LATIN AMERICAN TRADE DEV	150,000	150,000
5	(07) ECONOMIC INFRASTRUCTURE PRGM	<u>5,000,000</u>	<u>5,000,000</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 11,906,991</u>	<u>\$ 11,689,539</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, 2009, the following:

15	ITEM	FISCAL YEARS	
16	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
17	(01) REGULAR SALARIES	\$ 236,760	\$ 241,493
18	(02) PERSONAL SERVICES MATCHING	77,343	78,304
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	70,000	70,000
23	(D) CAP. OUTLAY	0	0
24	(E) DATA PROC.	0	0
25	(04) GRANTS/AIDS - CDBG	<u>36,500,000</u>	<u>36,500,000</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 36,969,703</u>	<u>\$ 36,975,397</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 2009, the following:

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

1	(01)	REGULAR SALARIES	\$	71,242	\$	72,666
2	(02)	PERSONAL SERVICES MATCHING		18,626		18,915
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>101,368</u>	\$	<u>103,081</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, 2009, the following:

17

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

36

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>

13

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:

20

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>

32

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 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, 2009, the following:

11

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

26

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

33

34 ITEM	FISCAL YEARS	
	2007-2008	2008-2009
35 NO.		
36 (01) FOR STATE MATCHING OF FEDERAL GRANTS	<u>\$ 228,500</u>	<u>\$ 228,500</u>

1  
2 SECTION 12. APPROPRIATIONS - INCENTIVE PLANS - CASH. There is hereby  
3 appropriated, to the Department of Economic Development, to be payable from  
4 cash funds as defined by Arkansas Code 19-4-801 of the Department of Economic  
5 Development, for expenses of assisting industries in the negotiation of  
6 financial incentive plans of the Department of Economic Development for the  
7 biennial period ending June 30, 2009, the following:

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

12  
13 SECTION 13. APPROPRIATIONS - CENTURY TUBE PROGRAM. There is hereby  
14 appropriated, to the Department of Economic Development, to be payable from  
15 cash funds as defined by Arkansas Code 19-4-801 of the Department of Economic  
16 Development, *for expenses associated with international business recruitment*  
17 *and investment* from funds received from the Century Tube Company for the  
18 Arkansas Economic Development Commission of the Department of Economic  
19 Development for the biennial period ending June 30, 2009, the following:

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

25  
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, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) TRADE AND INTERNATIONAL INVESTMENT MARKETING EXPENSES	\$ <u>13,725</u>	\$ <u>13,725</u>



SECTION 15. APPROPRIATIONS - *EXISTING BUSINESS RESOURCE PROGRAM*. There is hereby appropriated, to the Department of Economic Development, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Economic Development, for *Existing Business Resource Program expenses* of the Arkansas Economic Development Commission of the Department of Economic Development for the biennial period ending June 30, 2009, the following:

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

SECTION 16. APPROPRIATIONS - PETROLEUM VIOLATION ESCROW - CASH. There is hereby appropriated, to the Department of Economic Development, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Economic Development, for operating expenses and grants to approved projects from funds received from settlements with petroleum companies and other miscellaneous cash funds of the Department of Economic Development for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) ENERGY CONSERVATION GRANTS AND AID	\$ 592,163	\$ 592,163

SECTION 17. APPROPRIATION - INDUSTRIAL COORDINATOR PROGRAM. 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 - Industrial Coordinator Program for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 541,277	\$ 552,097
(02) PERSONAL SERVICES MATCHING	160,008	162,200
(03) MAINT. & GEN. OPERATION		

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

7  
 8 SECTION 18. APPROPRIATIONS - SMALL BUSINESS DEVELOPMENT - CASH. There is  
 9 hereby appropriated, to the Department of Economic Development, to be payable  
 10 from cash funds as defined by Arkansas Code 19-4-801 of the Department of  
 11 Economic Development, for assisting small businesses in the development of  
 12 successful working business plans for the biennial period ending June 30,  
 13 2009, the following:

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

24  
 25 SECTION 19. APPROPRIATION - SUPER PROJECTS. There is hereby appropriated,  
 26 to the Department of Economic Development, to be payable from the Economic  
 27 Development Superprojects Project Fund, for Super Projects of the Department  
 28 of Economic Development for the biennial period ending June 30, 2009, the  
 29 following:

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

34  
 35 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY

1 FORWARD. The unexpended balances of appropriation provided for the  
2 expenditures of federal funds as provided for in Section 4 of this Act on  
3 June 30, ~~2006~~ 2008, shall be carried forward and made available for  
4 expenditures for the same purpose for the fiscal year ending June 30, ~~2007~~  
5 2009.

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

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

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

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

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

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

35  
36 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
2 FORWARD. At the close of the fiscal year ending June 30, ~~2006~~ 2008, any  
3 unexpended appropriation provided for the Century Tube Program shall be  
4 carried forward and made available for the same purposes for the fiscal year  
5 ending June 30, ~~2007~~ 2009.

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

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

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

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

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

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

35  
36 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

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

11

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. Arkansas Code 15-4-211 shall not be deemed  
18 restrictive in its language so as to preclude the use of standard  
19 Professional Services Contracts for the operation of the foreign offices  
20 and/or payment of such contracts from the special line items as established  
21 by legislative appropriation for the operation of said foreign offices. The  
22 provisions of this section shall be in effect only from July 1, ~~2005~~ 2007  
23 through June 30, ~~2007~~ 2009.

24

25 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MULTI-USE  
27 FACILITIES. The Arkansas Department of Economic Development (ADED) shall  
28 structure its annual update to the Five Year Consolidated Plan and the new  
29 Five Year Consolidated Plan to reflect the legislative intent for a priority  
30 to be placed on the use of Community Development Block Grant (CDBG) funds for  
31 Multi-use facilities that will offer combined facilities for programs  
32 commonly offered in separate facilities such as senior centers, public health  
33 centers, childcare centers and community centers. ADED shall report the  
34 methodology for complying with this priority to the Legislative Council. The  
35 provisions of this section shall be in effect only from July 1, ~~2005~~ 2007  
36 through June 30, ~~2007~~ 2009.

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

15  
16 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RURAL  
18 DEVELOPMENT. From the funds appropriated for COMMUNITY DEVELOPMENT GRANTS  
19 within the Community Development Program in this Act for Community  
20 Assistance-Federal, the Arkansas Department of Economic Development (ADED)  
21 shall allocate \$500,000 per fiscal year to the Rural Development Set-Aside  
22 from the Economic Development Set-Aside, as defined in ADED's Consolidated  
23 Plan filed with the federal Department of Housing and Urban Development.  
24 Funds allocated to the Rural Development Set-Aside are to be used exclusively  
25 for grants to rural communities as defined in the Consolidated Plan. 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 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT  
31 REVIEW. The Arkansas Department of Economic Development (ADED) shall review  
32 all applications for grant funds from the Rural Development Set-Aside and  
33 shall certify to the Department of Rural Services those applications eligible  
34 for grant funds under ADED and federal guidelines. The Department of Rural  
35 Services alone shall decide which grant applications will be funded, and ADED  
36 shall disburse grant funds from the Rural Development Set-Aside to those

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

8  
9 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
11 PROVISION - FOREIGN OFFICES. If at any time during the ~~2005-2007~~ 2007-2009  
12 biennium, the Director determines that market conditions warrant, the  
13 Arkansas Economic Development Commission is hereby authorized to transfer  
14 appropriation, after receiving the approval of the Chief Fiscal Officer of  
15 the State and prior ~~review~~ approval by the Legislative Council or Joint  
16 Budget Committee, between ~~either of the two~~ Foreign Offices (~~Far East~~  
17 ~~Trade/Industrial Recruitment and Latin American Trade Development~~) in the  
18 State Operations Section 3 of this Act for the purpose of responding to  
19 changes in the world markets.

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

36 The provisions of this section shall be in effect only from July 1, 2005

1 2007 through June 30, ~~2007~~ 2009.

2

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

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

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



1  
2 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
4 PROVISION. After receiving approval from the Chief Fiscal Officer of the  
5 State and prior ~~review~~ approval by the Legislative Council or Joint Budget  
6 Committee, the Director of the Arkansas Economic Development Commission is  
7 authorized to transfer appropriation from any line item appropriation  
8 authorized in the Community Assistance (CDBG) - Federal Section 4 of this Act  
9 to any other line item authorized in the Community Assistance (CDBG) -  
10 Federal Section 4 of this Act.

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

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

29  
30 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
32 FLEXIBILITY RESTRICTIONS. The carry forward and transfer flexibility  
33 provided to the Arkansas Economic Development Commission within this Act  
34 relating to the appropriation in the Community Assistance (CDBG) - Federal  
35 Section 4 shall be used only when necessary to carry out the Community  
36 Development Block Grant Program and shall require approval by the Arkansas

1 Legislative Council or Joint Budget Committee.

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

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

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

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

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 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
22 PROVISION - INDUSTRY TRAINING PROGRAM. During either fiscal year of the  
23 ~~2005-2007~~ 2007-2009 biennium any savings accomplished in line item (02) of  
24 the Industry Training Section ~~10~~ of this Act, Extra Help, may be transferred  
25 to line item (04) of the Industry Training Section ~~10~~ of this Act,  
26 Maintenance and General Operation after prior ~~review~~ approval by the  
27 Legislative Council or Joint Budget Committee.

28 Determining the maximum number of employees and the maximum amount of  
29 appropriation and general revenue funding for a state agency each fiscal year  
30 is the prerogative of the General Assembly. This is usually accomplished by  
31 delineating such maximums in the appropriation act(s) for a state agency and  
32 the general revenue allocations authorized for each fund and fund account by  
33 amendment to the Revenue Stabilization law. Further, the General Assembly  
34 has determined that the Department of Economic Development may operate more  
35 efficiently if some flexibility is provided to the Department of Economic  
36 Development authorizing broad powers under this Section. Therefore, it is

1 both necessary and appropriate that the General Assembly maintain oversight  
2 by requiring prior approval of the Legislative Council or Joint Budget  
3 Committee as provided by this section. The requirement of approval by the  
4 Legislative Council or Joint Budget Committee is not a severable part of this  
5 section. If the requirement of approval by the Legislative Council or Joint  
6 Budget Committee is ruled unconstitutional by a court of competent  
7 jurisdiction, this entire section is void.

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

10  
11 SECTION 34. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
12 by this act shall be limited to the appropriation for such agency and funds  
13 made available by law for the support of such appropriations; and the  
14 restrictions of the State Procurement Law, the General Accounting and  
15 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
16 Procedures and Restrictions Act, or their successors, and other fiscal  
17 control laws of this State, where applicable, and regulations promulgated by  
18 the Department of Finance and Administration, as authorized by law, shall be  
19 strictly complied with in disbursement of said funds.

20  
21 SECTION 35. LEGISLATIVE INTENT. It is the intent of the General Assembly  
22 that any funds disbursed under the authority of the appropriations contained  
23 in this act shall be in compliance with the stated reasons for which this act  
24 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
25 and Legislative Recommendations contained in the budget manuals prepared by  
26 the Department of Finance and Administration, letters, or summarized oral  
27 testimony in the official minutes of the Arkansas Legislative Council or  
28 Joint Budget Committee which relate to its passage and adoption.

29  
30 SECTION 36. EMERGENCY CLAUSE. It is found and determined by the General  
31 Assembly, that the Constitution of the State of Arkansas prohibits the  
32 appropriation of funds for more than a two (2) year period; that the  
33 effectiveness of this Act on July 1, 2007 is essential to the operation of  
34 the agency for which the appropriations in this Act are provided, and that in  
35 the event of an extension of the Regular Session, the delay in the effective  
36 date of this Act beyond July 1, 2007 could work irreparable harm upon the

1 proper administration and provision of essential governmental programs.  
2 Therefore, an emergency is hereby declared to exist and this Act being  
3 necessary for the immediate preservation of the public peace, health and  
4 safety shall be in full force and effect from and after July 1, 2007.

5  
6 */s/ Joint Budget Committee*  
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