

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 *As Engrossed: S2/19/07 S3/19/07 S3/26/07 S3/28/07*

2 86th General Assembly

A Bill

3 Regular Session, 2007

SENATE BILL 175

4

5 By: Joint Budget Committee

6

7

8

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

15

16

Subtitle

17 AN ACT FOR THE DEPARTMENT OF ECONOMIC
18 DEVELOPMENT APPROPRIATION FOR THE
19 2007-2009 BIENNIUM.

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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	DEPUTY DIRECTOR			
16			ADMINISTRATION & FINANCE	1	\$101,813	\$103,849
17	(13)	9754	ADED ADMR/EVAL/PLAN&MGMT SYSTEM	1	\$71,242	\$72,666
18	(14)	7355	ADED INVESTMENTS MANAGER/ASIA	1	\$71,242	\$72,666
19	(15)	906Z	ADED RESEARCH MANAGER	1		GRADE 25
20	(16)	977Z	STATE ENERGY DEPUTY DIRECTOR	1		GRADE 25
21	(17)	R379	STATE ECONOMIC DEVELOPER III	33		GRADE 25
22	(18)	R080	STATISTICAL ANALYSIS MANAGER	1		GRADE 24
23	(19)	D100	DP SENIOR PROJECT LEADER	1		GRADE 23
24	(20)	E051	TRAINING PROJECT MANAGER	3		GRADE 22
25	(21)	R127	ENERGY CONSERVATION PROGRAM ADMR	3		GRADE 22
26	(22)	909Z	PROGRAM SUPPORT MANAGER	2		GRADE 22
27	(23)	A032	AGENCY FISCAL MANAGER	2		GRADE 22
28	(24)	A008	ACCOUNTING SUPERVISOR II	1		GRADE 21
29	(25)	N293	DEVELOPMENT SPECIALIST	1		GRADE 21
30	(26)	D036	SR PROGRAMMER/ANALYST	1		GRADE 21
31	(27)	R348	COMMUNITY DEVELOPMENT CONSULTANT	5		GRADE 21
32	(28)	D121	USER SUPPORT ANALYST	2		GRADE 20
33	(29)	N333	MEDIA SPECIALIST	1		GRADE 20
34	(30)	R004	STATE ENERGY PROGRAM COORDINATOR	2		GRADE 20
35	(31)	R266	MANAGEMENT PROJECT ANALYST II	6		GRADE 20
36	(32)	A110	ACCOUNTANT II	1		GRADE 19

1	(33)	R150	RESEARCH PROJECT ANALYST	2	GRADE 19
2	(34)	R168	GRANTS COORDINATOR II	2	GRADE 19
3	(35)	D128	P C SUPPORT SPECIALIST	1	GRADE 18
4	(36)	N328	INFORMATION OFFICER II	1	GRADE 18
5	(37)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
6	(38)	R190	PERSONNEL OFFICER II	1	GRADE 17
7	(39)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17
8	(40)	R010	ADMINISTRATIVE ASSISTANT II	7	GRADE 17
9	(41)	R148	RESEARCH ASSISTANT	1	GRADE 15
10	(42)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
11	(43)	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	\$ 2,797,382	\$ 2,853,299
32	(02)	EXTRA HELP	10,000	10,000
33	(03)	PERSONAL SERVICES MATCHING	792,798	804,279
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>\$ 11,906,991</u>	<u>\$ 11,689,539</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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1	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
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:

18

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

30

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:

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

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

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

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

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	35 FISCAL YEARS	
36 NO.	2007-2008	2008-2009
(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
13 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOREIGN
15 OFFICE OPERATIONS. The Arkansas Department of Economic Development is hereby
16 authorized to enter into contractual arrangements with private and/or public
17 companies, corporations, individuals or organizations for the purpose of
18 operating foreign offices. Arkansas Code 15-4-211 shall not be deemed
19 restrictive in its language so as to preclude the use of standard
20 Professional Services Contracts for the operation of the foreign offices
21 and/or payment of such contracts from the special line items as established
22 by legislative appropriation for the operation of said foreign offices. The
23 provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
24 through June 30, ~~2007~~ 2009.

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

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

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

16
17 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RURAL
19 DEVELOPMENT. From the funds appropriated for COMMUNITY DEVELOPMENT GRANTS
20 within the Community Development Program in this Act for Community
21 Assistance-Federal, the Arkansas Department of Economic Development (ADED)
22 shall allocate \$500,000 per fiscal year to the Rural Development Set-Aside
23 from the Economic Development Set-Aside, as defined in ADED's Consolidated
24 Plan filed with the federal Department of Housing and Urban Development.
25 Funds allocated to the Rural Development Set-Aside are to be used exclusively
26 for grants to rural communities as defined in the Consolidated Plan. The
27 provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
28 through June 30, ~~2007~~ 2009.

29
30 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT
32 REVIEW. The Arkansas Department of Economic Development (ADED) shall review
33 all applications for grant funds from the Rural Development Set-Aside and
34 shall certify to the Department of Rural Services those applications eligible
35 for grant funds under ADED and federal guidelines. The Department of Rural
36 Services alone shall decide which grant applications will be funded, and ADED

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

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

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

1 The provisions of this section shall be in effect only from July 1, 2005
2 2007 through June 30, ~~2007~~ 2009.

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

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 Department of Economic Development may operate more
27 efficiently if some flexibility is provided to the Department of Economic
28 Development authorizing broad powers under this Section. Therefore, it is
29 both necessary and appropriate that the General Assembly maintain oversight
30 by requiring prior approval of the Legislative Council or Joint Budget
31 Committee as provided by this section. The requirement of approval by the
32 Legislative Council or Joint Budget Committee is not a severable part of this
33 section. If the requirement of approval by the Legislative Council or Joint
34 Budget Committee is ruled unconstitutional by a court of competent
35 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 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
5 PROVISION. After receiving approval from the Chief Fiscal Officer of the
6 State and prior ~~review~~ approval by the Legislative Council or Joint Budget
7 Committee, the Director of the Arkansas Economic Development Commission is
8 authorized to transfer appropriation from any line item appropriation
9 authorized in the Community Assistance (CDBG) - Federal Section 4 of this Act
10 to any other line item authorized in the Community Assistance (CDBG) -
11 Federal Section 4 of this Act.

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

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

30

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

1 Development Block Grant Program and shall require approval by the Arkansas
 2 Legislative Council or Joint Budget Committee.

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

19 The provisions of this section shall be in effect only from July 1, 2005
 20 2007 through June 30, ~~2007~~ 2009.

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

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

20
21 SECTION 33. 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 PROGRAM. During either fiscal year of the
24 ~~2005-2007~~ 2007-2009 biennium any savings accomplished in line item (02) of
25 the Industry Training Section ~~10~~ of this Act, Extra Help, may be transferred
26 to line item (04) of the Industry Training Section ~~10~~ of this Act,
27 Maintenance and General Operation after prior ~~review~~ approval by the
28 Legislative Council or Joint Budget Committee.

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

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

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

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

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

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

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

6
7 */s/ Joint Budget Committee*
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