

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 87th General Assembly  
3 Regular Session, 2009

*As Engrossed: S1/28/09*  
**A Bill**

SENATE BILL 194

4  
5 By: Joint Budget Committee  
6  
7

**For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ECONOMIC  
11 DEVELOPMENT COMMISSION FOR THE FISCAL YEAR ENDING  
12 JUNE 30, 2010; AND FOR OTHER PURPOSES.  
13  
14

**Subtitle**

15 AN ACT FOR THE ECONOMIC DEVELOPMENT  
16 COMMISSION APPROPRIATION FOR THE  
17 2009-2010 FISCAL YEAR.  
18  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the Economic  
24 Development Commission for the 2009-2010 fiscal year, the following maximum  
25 number of regular employees whose salaries shall be governed by the  
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
28 Provided, however, that any position to which a specific maximum annual  
29 salary is set out herein in dollars, shall be exempt from the provisions of  
30 said Uniform Classification and Compensation Act. All persons occupying  
31 positions authorized herein are hereby governed by the provisions of the  
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
33 or its successor.  
34

35 Maximum Annual  
36 Maximum Salary Rate



1	Item	Class		No. of	Fiscal Year
2	No.	Code	Title	Employees	2009-2010
3	(1)	U055U	AEDC DIRECTOR	1	\$127,118
4	(2)	U059U	AEDC DEPUTY DIRECTOR	1	\$109,041
5	(3)	U105U	AEDC DEPUTY DIRECTOR FINANCE & ADMIN	1	\$109,041
6	(4)	N062N	AEDC BUSINESS DEV DIV DIR	1	GRADE N908
7	(5)	N061N	AEDC BUSINESS FINANCE DIRECTOR	1	GRADE N908
8	(6)	N060N	AEDC INTERNATIONAL RELATIONS MANAGE	1	GRADE N908
9	(7)	N059N	AEDC TRAINING DIVISION DIRECTOR	1	GRADE N908
10	(8)	N085N	AEDC DIR TECH & ENTREPRENEURSHIP	1	GRADE N907
11	(9)	N084N	AEDC MRKT & COMMUNICATIONS DIR	1	GRADE N907
12	(10)	N083N	AEDC STRATEGIC PLANNING DIRECTOR	1	GRADE N907
13	(11)	G013C	AEDC DIR ARKANSAS ENERGY OFFICE	1	GRADE C128
14	(12)	G016C	AEDC DIR BUSINESS RETENTION & EXPAN	1	GRADE C128
15	(13)	G014C	AEDC DIR OF COMMUNITY DEVELOPMENT	1	GRADE C128
16	(14)	P002C	AEDC DIRECTOR FILM COMMISSION	1	GRADE C128
17	(15)	G015C	AEDC SMALL/MINORITY BUSINESS DIRECT	1	GRADE C128
18	(16)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
19	(17)	D012C	DATABASE SPECIALIST	1	GRADE C127
20	(18)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
21	(19)	G048C	AEDC STRATEGIC PLANNING ASST DIR	1	GRADE C126
22	(20)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
23	(21)	G062C	AEDC PROJECT/REGIONAL MANAGER	16	GRADE C125
24	(22)	D040C	GIS ANALYST	1	GRADE C123
25	(23)	G104C	AEDC AREA/PROGRAM REPRESENTATIVE	22	GRADE C122
26	(24)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
27	(25)	R014C	PERSONNEL MANAGER	1	GRADE C121
28	(26)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE C121
29	(27)	E023C	TRAINING PROJECT MANAGER	4	GRADE C120
30	(28)	G148C	ENERGY PROGRAM MANAGER	2	GRADE C119
31	(29)	G147C	GRANTS COORDINATOR	1	GRADE C119
32	(30)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
33	(31)	D065C	NETWORK SUPPORT ANALYST	1	GRADE C118
34	(32)	D064C	WEBSITE DEVELOPER	1	GRADE C118
35	(33)	A082C	ACCOUNTANT II	2	GRADE C117
36	(34)	G188C	BUSINESS & INDUSTRIAL ENERGY SPEC	1	GRADE C117

1	(35)	G180C	GRANTS ANALYST	1	GRADE C117
2	(36)	B076C	RESEARCH PROJECT ANALYST	2	GRADE C117
3	(37)	P027C	PUBLIC INFORMATION SPECIALIST	2	GRADE C116
4	(38)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
5	(39)	R033C	BENEFITS ANALYST	1	GRADE C115
6	(40)	D077C	HELP DESK SPECIALIST	1	GRADE C115
7	(41)	V015C	PURCHASING SPECIALIST	1	GRADE C115
8	(42)	P041C	COMMERCIAL GRAPHIC ARTIST	1	GRADE C114
9	(43)	C056C	ADMINISTRATIVE SPECIALIST III	12	GRADE C112
10	(44)	C073C	ADMINISTRATIVE SPECIALIST II	<u>3</u>	GRADE C109
11			MAX. NO. OF EMPLOYEES	100	

12

13 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for  
 14 the Economic Development Commission – State Operations for the 2009-2010  
 15 fiscal year, the following maximum number of part-time or temporary  
 16 employees, to be known as "Extra Help", payable from funds appropriated  
 17 herein for such purposes: eleven (11) temporary or part-time employees, when  
 18 needed, at rates of pay not to exceed those provided in the Uniform  
 19 Classification and Compensation Act, or its successor, or this act for the  
 20 appropriate classification.

21

22 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,  
 23 to the Economic Development Commission, to be payable from the Department of  
 24 Economic Development Fund Account, for personal services and operating  
 25 expenses of the Economic Development Commission – State Operations for the  
 26 fiscal year ending June 30, 2010, the following:

27

28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2009-2010</u>
30	(01) REGULAR SALARIES	\$ 4,614,326
31	(02) EXTRA HELP	20,000
32	(03) PERSONAL SERVICES MATCHING	1,286,259
33	(04) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	1,730,003
35	(B) CONF. & TRAVEL	141,486
36	(C) PROF. FEES	1,291,500

1	(D) CAP. OUTLAY	25,000
2	(E) DATA PROC.	0
3	(05) ECONOMIC INFRASTRUCTURE PROGRAM	1,000,000
4	(06) FAR EAST TRADE/INDUSTRY RECRUITMENT	150,000
5	(07) FOR STATE MATCHING OF FEDERAL FUNDS	228,500
6	(08) INDUSTRY TRAINING PROGRAM	1,000,000
7	(09) LATIN AMERICAN OFFICE	<u>4,770</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 11,491,844</u>

9

10 SECTION 4. APPROPRIATION - COMMUNITY ASSISTANCE (CDBG) - FEDERAL. There is  
 11 hereby appropriated, to the Economic Development Commission, to be payable  
 12 from the federal funds as designated by the Chief Fiscal Officer of the  
 13 State, for personal services and operating expenses of the Economic  
 14 Development Commission - Community Assistance - Federal for the fiscal year  
 15 ending June 30, 2010, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2009-2010</u>
19	(01) REGULAR SALARIES	\$ 300,474
20	(02) PERSONAL SERVICES MATCHING	91,948
21	(03) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	60,600
23	(B) CONF. & TRAVEL	25,000
24	(C) PROF. FEES	70,000
25	(D) CAP. OUTLAY	0
26	(E) DATA PROC.	0
27	(04) GRANTS/AIDS - CDBG	<u>30,000,000</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 30,548,022</u>

29

30 SECTION 5. APPROPRIATION - STATE ENERGY PLAN - FEDERAL. There is hereby  
 31 appropriated, to the Economic Development Commission, to be payable from the  
 32 federal funds as designated by the Chief Fiscal Officer of the State, for  
 33 personal services and operating expenses of the Economic Development  
 34 Commission - State Energy Plan - Federal for the fiscal year ending June 30,  
 35 2010, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2009-2010</u>
3	(01) REGULAR SALARIES	\$ 349,425
4	(02) PERSONAL SERVICES MATCHING	111,313
5	(03) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	166,675
7	(B) CONF. & TRAVEL	39,573
8	(C) PROF. FEES	204,001
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	0
11	(04) ENERGY CONSERVATION GRANTS AND AID	<u>517,851</u>
12	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,388,838</u>

13

14 SECTION 6. APPROPRIATION - ENERGY EFFICIENCY ARKANSAS - CASH. There is  
 15 hereby appropriated, to the Economic Development Commission, to be payable  
 16 from the cash fund deposited in the State Treasury as determined by the Chief  
 17 Fiscal Officer of the State, for personal services and operating expenses of  
 18 the Economic Development Commission for the fiscal year ending June 30, 2010,  
 19 the following:

20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2009-2010</u>
23	(01) REGULAR SALARIES	\$ 48,166
24	(02) PERSONAL SERVICES MATCHING	14,116
25	(03) MAINT. & GEN. OPERATION	
26	(A) OPER. EXPENSE	43,900
27	(B) CONF. & TRAVEL	2,000
28	(C) PROF. FEES	2,102,955
29	(D) CAP. OUTLAY	0
30	(E) DATA PROC.	0
31	(04) ENERGY EFFICIENCY ARKANSAS GRANTS	<u>100,000</u>
32	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,311,137</u>

33

34 SECTION 7. APPROPRIATION - INCENTIVE PLANS - CASH. There is hereby  
 35 appropriated, to the Economic Development Commission, to be payable from cash  
 36 funds as defined by Arkansas Code 19-4-801 of the Economic Development

1 Commission, for expenses of assisting industries in the negotiation of  
2 financial incentive plans of the Economic Development Commission for the  
3 fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) FINANCIAL INCENTIVE PLANS - EXPENSES	<u>\$ 11,100</u>

8  
9 SECTION 8. APPROPRIATION - TRADE AND INTERNATIONAL INVESTMENT DIVISION -  
10 CASH. There is hereby appropriated, to the Economic Development Commission,  
11 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the  
12 Economic Development Commission, for marketing expenses of the Economic  
13 Development Commission for the fiscal year ending June 30, 2010, the  
14 following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) TRADE AND INTERNATIONAL INVESTMENT MARKETING EXPENSES	<u>\$ 9,625</u>

21 SECTION 9. APPROPRIATION - EXISTING BUSINESS RESOURCE PROGRAM - CASH.  
22 There is hereby appropriated, to the Economic Development Commission, to be  
23 payable from cash funds as defined by Arkansas Code 19-4-801 of the Economic  
24 Development Commission, for Existing Business Resource Program expenses of  
25 the Economic Development Commission for the fiscal year ending June 30, 2010,  
26 the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) EXISTING BUSINESS RESOURCE EXPENSES	<u>\$ 30,150</u>

32 SECTION 10. APPROPRIATION - PETROLEUM VIOLATION ESCROW - CASH. There is  
33 hereby appropriated, to the Economic Development Commission, to be payable  
34 from cash funds as defined by Arkansas Code 19-4-801 of the Economic  
35 Development Commission, for operating expenses and grants to approved  
36 projects from funds received from settlements with petroleum companies and

1 other miscellaneous cash funds of the Economic Development Commission for the  
2 fiscal year ending June 30, 2010, the following:

3	4 ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2009-2010</u>
6	(01) ENERGY CONSERVATION GRANTS AND AID	\$ <u>543,000</u>

7  
8 SECTION 11. APPROPRIATION - SMALL BUSINESS UNIVERSITY - CASH. There is  
9 hereby appropriated, to the Economic Development Commission, to be payable  
10 from cash funds as defined by Arkansas Code 19-4-801 of the Economic  
11 Development Commission, for assisting small businesses in the development of  
12 successful working business plans of the Economic Development Commission for  
13 the fiscal year ending June 30, 2010, the following:

14	15 ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2009-2010</u>
17	(01) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	\$ 10,000
19	(B) CONF. & TRAVEL	0
20	(C) PROF. FEES	0
21	(D) CAP. OUTLAY	0
22	(E) DATA PROC.	<u>0</u>
23	TOTAL AMOUNT APPROPRIATED	\$ <u>10,000</u>

24  
25 SECTION 12. APPROPRIATION - SUPER PROJECTS. There is hereby appropriated,  
26 to the Economic Development Commission, to be payable from the Economic  
27 Development Superprojects Project Fund, for Super Projects of the Economic  
28 Development Commission for the fiscal year ending June 30, 2010, the  
29 following:

30	31 ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2009-2010</u>
33	(01) SUPER PROJECTS	\$ <u>200,000,000</u>

34  
35 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDUSTRY

1 TRAINING PROGRAM EXPENSES. In addition to training expenses, funds made  
2 available to support the appropriation for Industry Training Program (ITP)  
3 herein may be used to acquire capital equipment necessary to enhance the  
4 capabilities of the Arkansas Industry Training Programs and for expenses  
5 necessary to assist in carrying on the Existing Worker Training Program.  
6 When not in use in an AITP managed course of training, the equipment  
7 purchased under this provision shall be stored at a location to be determined  
8 by the Executive Director, AEDC.

9 The provisions of this section shall be in effect only from July 1, ~~2007~~  
10 2009 through June 30, ~~2009~~ 2010.

11  
12 SECTION 14. 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 Economic Development Commission 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.

22 The provisions of this section shall be in effect only from July 1,  
23 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

24  
25 SECTION 15. 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 Economic Development Commission (AEDC) 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. AEDC shall report the  
34 methodology for complying with this priority to the Legislative Council.

35 The provisions of this section shall be in effect only from July 1,  
36 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.



1  
2 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC  
4 PARTICIPATION. Arkansas Economic Development Commission (AEDC) 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 AEDC's web page. AEDC is  
12 encouraged to develop additional innovative public awareness strategies.

13 The provisions of this section shall be in effect only from July 1,  
14 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

15  
16 SECTION 17. 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 Economic Development Commission (AEDC) shall  
21 allocate \$500,000 per fiscal year to the Rural Development Set-Aside from the  
22 Economic Development Set-Aside, as defined in AEDC's Consolidated Plan filed  
23 with the federal Department of Housing and Urban Development. Funds  
24 allocated to the Rural Development Set-Aside are to be used exclusively for  
25 grants to rural communities as defined in the Consolidated Plan.

26 The provisions of this section shall be in effect only from July 1,  
27 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

28  
29 SECTION 18. 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 Economic Development Commission (AEDC) shall review all  
32 applications for grant funds from the Rural Development Set-Aside and shall  
33 certify to the Department of Rural Services those applications eligible for  
34 grant funds under AEDC and federal guidelines. The Department of Rural  
35 Services alone shall decide which grant applications will be funded, and AEDC  
36 shall disburse grant funds from the Rural Development Set-Aside to those

1 applicants receiving final approval by the Department of Rural Services. AEDC  
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.

6 The provisions of this section shall be in effect only from July 1,  
7 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

8

9 SECTION 19. 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 ~~2007-2009 biennium~~  
12 fiscal year, 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 approval by the Legislative Council or Joint Budget  
16 Committee, between the Foreign Offices in the State Operations Section of  
17 this Act for the purpose of responding to changes in the world markets.

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

34 The provisions of this section shall be in effect only from July 1, ~~2007~~  
35 2009 through June 30, ~~2009~~ 2010.

36

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

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

32 The provisions of this section shall be in effect only from July 1, ~~2007~~  
33 2009 through June 30, ~~2009~~ 2010.

34

35 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

1 PROVISION. After receiving approval from the Chief Fiscal Officer of the  
2 State and prior approval by the Legislative Council or Joint Budget  
3 Committee, the Director of the Arkansas Economic Development Commission is  
4 authorized to transfer appropriation from any line item appropriation  
5 authorized in the Community Assistance (CDBG) - Federal Section of this Act  
6 to any other line item authorized in the Community Assistance (CDBG) -  
7 Federal Section of this Act.

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

24 The provisions of this section shall be in effect only from July 1,  
25 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

26

27 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

29 FLEXIBILITY RESTRICTIONS. The ~~carry forward and~~ transfer flexibility  
30 provided to the Arkansas Economic Development Commission within this Act  
31 relating to the appropriation in the Community Assistance (CDBG) - Federal  
32 Section shall be used only when necessary to carry out the Community  
33 Development Block Grant Program and shall require approval by the Arkansas  
34 Legislative Council or Joint Budget Committee.

35 Determining the maximum number of employees and the maximum amount of  
36 appropriation and general revenue funding for a state agency each fiscal year

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

15 The provisions of this section shall be in effect only from July 1, ~~2007~~  
16 2009 through June 30, ~~2009~~ 2010.

17  
18 *SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE*  
19 *NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER*  
20 *PROVISION - INDUSTRY TRAINING. If during ~~either year of the 2007-2009 fiscal~~*  
21 *~~biennium~~ year, the Industry Training Division effects savings in Item ~~(05)~~*  
22 *(08), ~~Industry Training Program~~ State Operations Section of this Act, such*  
23 *savings may be transferred to item (02), Extra Help or item (04), Maintenance*  
24 *and General Operations, of the ~~Industry Training~~ State Operations Section of*  
25 *this Act, after obtaining approval of the Chief Fiscal Officer of the State*  
26 *and after prior review by the Legislative Council or Joint Budget Committee.*  
27 *In addition, if any savings are effected in ~~either year of the 2007-2009~~*  
28 *~~fiscal biennium~~ year in item (04), Maintenance and General Operations, of the*  
29 *~~Industry Training~~ State Operations Section of this Act, such savings may be*  
30 *transferred to item ~~(05)~~ (08), Industry Training Program, of the ~~Industry~~*  
31 *~~Training~~ State Operations Section of this Act, after obtaining approval of*  
32 *the Chief Fiscal Officer of the State and after prior approval by the*  
33 *Legislative Council or Joint Budget Committee.*  
34 *Determining the maximum number of employees and the maximum amount of*  
35 *appropriation and general revenue funding for a state agency each fiscal year*  
36 *is the prerogative of the General Assembly. This is usually accomplished by*

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

14 The provisions of this section shall be in effect only from July 1, ~~2007~~  
15 2009 through June 30, ~~2009~~ 2010.

16  
17 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
19 PROVISION - INDUSTRY TRAINING PROGRAM. During ~~either the~~ the fiscal year ~~of the~~  
20 ~~2007-2009 biennium~~ any savings accomplished in line item (02) of the ~~Industry~~  
21 ~~Training~~ State Operations Section of this Act, Extra Help, may be transferred  
22 to line item (04) of the ~~Industry Training~~ State Operations Section of this  
23 Act, Maintenance and General Operation after prior approval by the  
24 Legislative Council or Joint Budget Committee.

25 Determining the maximum number of employees and the maximum amount of  
26 appropriation and general revenue funding for a state agency each fiscal year  
27 is the prerogative of the General Assembly. This is usually accomplished by  
28 delineating such maximums in the appropriation act(s) for a state agency and  
29 the general revenue allocations authorized for each fund and fund account by  
30 amendment to the Revenue Stabilization law. Further, the General Assembly  
31 has determined that the Department of Economic Development may operate more  
32 efficiently if some flexibility is provided to the Department of Economic  
33 Development authorizing broad powers under this Section. Therefore, it is  
34 both necessary and appropriate that the General Assembly maintain oversight  
35 by requiring prior approval of the Legislative Council or Joint Budget  
36 Committee as provided by this section. The requirement of approval by the

1 Legislative Council or Joint Budget Committee is not a severable part of this  
2 section. If the requirement of approval by the Legislative Council or Joint  
3 Budget Committee is ruled unconstitutional by a court of competent  
4 jurisdiction, this entire section is void.

5 The provisions of this section shall be in effect only from July 1,  
6 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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8 SECTION 25. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
9 by this act shall be limited to the appropriation for such agency and funds  
10 made available by law for the support of such appropriations; and the  
11 restrictions of the State Procurement Law, the General Accounting and  
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
13 Procedures and Restrictions Act, or their successors, and other fiscal  
14 control laws of this State, where applicable, and regulations promulgated by  
15 the Department of Finance and Administration, as authorized by law, shall be  
16 strictly complied with in disbursement of said funds.

17

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

26

27 SECTION 27. EMERGENCY CLAUSE. It is found and determined by the General  
28 Assembly, that the Constitution of the State of Arkansas prohibits the  
29 appropriation of funds for more than a one (1) year period; that the  
30 effectiveness of this Act on July 1, 2009 is essential to the operation of  
31 the agency for which the appropriations in this Act are provided, and that in  
32 the event of an extension of the Regular Session, the delay in the effective  
33 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
34 proper administration and provision of essential governmental programs.  
35 Therefore, an emergency is hereby declared to exist and this Act being  
36 necessary for the immediate preservation of the public peace, health and

1 safety shall be in full force and effect from and after July 1, 2009.

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*/s/ Joint Budget Committee*