

1 State of Arkansas *As Engrossed: S2/20/14 S2/27/14*

2 89th General Assembly

A Bill

3 Fiscal Session, 2014

SENATE BILL 107

4

5 By: Joint Budget Committee

6

7

For An Act To Be Entitled

8

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES

9

AND OPERATING EXPENSES FOR THE ECONOMIC DEVELOPMENT

10

COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2015;

11

AND FOR OTHER PURPOSES.

12

13

14

Subtitle

15

AN ACT FOR THE ECONOMIC DEVELOPMENT

16

COMMISSION APPROPRIATION FOR THE 2014-

17

2015 FISCAL YEAR.

18

19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21

22

SECTION 1. REGULAR SALARIES. There is hereby established for the

23

Economic Development Commission for the 2014-2015 fiscal year, the following

24

maximum number of regular employees.

25

26

Maximum Annual

27

Maximum

Salary Rate

28

Item Class

No. of

Fiscal Year

29

No. Code Title

Employees

2014-2015

30

(1) U055U AEDC DIRECTOR

1

\$138,323

31

(2) U105U AEDC DEP DIRECTOR FINANCE & ADMIN

1

\$118,653

32

(3) U059U AEDC DEPUTY DIRECTOR

1

\$118,653

33

(4) N180N AEDC ARKANSAS ENERGY OFFICE DIRECTOR

1

GRADE N908

34

(5) N062N AEDC BUSINESS DEV DIV DIRECTOR

1

GRADE N908

35

(6) N061N AEDC BUSINESS FINANCE DIRECTOR

1

GRADE N908

36

(7) N059N AEDC TRAINING DIVISION DIRECTOR

1

GRADE N908



1	(8)	N085N	AEDC DIR TECH & ENTREPRENEURSHIP	1	GRADE N907
2	(9)	N084N	AEDC MRKT & COMMUNICATIONS DIR	1	GRADE N907
3	(10)	N083N	AEDC STRATEGIC PLANNING DIRECTOR	1	GRADE N907
4	(11)	G245C	AEDC DIR OF COMMUNITY DEV & IMPROVE	1	GRADE C128
5	(12)	G014C	AEDC DIR OF COMMUNITY DEVELOPMENT	1	GRADE C128
6	(13)	P002C	AEDC DIRECTOR FILM COMMISSION	1	GRADE C128
7	(14)	G013C	AEDC MGR OF STRATEGIC ENERGY DEV	1	GRADE C128
8	(15)	G015C	AEDC SMALL MINORITY BUS DIRECTOR	1	GRADE C128
9	(16)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
10	(17)	D012C	DATABASE SPECIALIST	1	GRADE C127
11	(18)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
12	(19)	G048C	AEDC STRATEGIC PLANNING ASST DIR	1	GRADE C126
13	(20)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
14	(21)	G062C	AEDC PROJECT/REGIONAL MANAGER	15	GRADE C125
15	(22)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
16	(23)	G104C	AEDC AREA/PROGRAM REPRESENTATIVE	22	GRADE C122
17	(24)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
18	(25)	R014C	PERSONNEL MANAGER	1	GRADE C121
19	(26)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE C121
20	(27)	G129C	DHS/DCO PROGRAM MANAGER	1	GRADE C120
21	(28)	E023C	TRAINING PROJECT MANAGER	4	GRADE C120
22	(29)	G148C	ENERGY PROGRAM MANAGER	2	GRADE C119
23	(30)	G147C	GRANTS COORDINATOR	1	GRADE C119
24	(31)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
25	(32)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
26	(33)	D065C	NETWORK SUPPORT ANALYST	1	GRADE C118
27	(34)	D064C	WEBSITE DEVELOPER	1	GRADE C118
28	(35)	A082C	ACCOUNTANT II	2	GRADE C117
29	(36)	A081C	AUDITOR	1	GRADE C117
30	(37)	G180C	GRANTS ANALYST	7	GRADE C117
31	(38)	G178C	POLICY DEV. COORDINATOR	1	GRADE C117
32	(39)	B076C	RESEARCH PROJECT ANALYST	2	GRADE C117
33	(40)	P027C	PUBLIC INFORMATION SPECIALIST	2	GRADE C116
34	(41)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
35	(42)	R033C	BENEFITS ANALYST	1	GRADE C115
36	(43)	D077C	HELP DESK SPECIALIST	1	GRADE C115

1	(44)	V015C	PURCHASING SPECIALIST	1	GRADE C115
2	(45)	P041C	COMMERCIAL GRAPHIC ARTIST	1	GRADE C114
3	(46)	C056C	ADMINISTRATIVE SPECIALIST III	10	GRADE C112
4	(47)	A098C	FISCAL SUPPORT SPECIALIST	1	GRADE C112
5	(48)	C073C	ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE C109
6			MAX. NO. OF EMPLOYEES	105	

7

8 SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby
 9 appropriated, to the Economic Development Commission, to be payable from the
 10 Arkansas Economic Development Commission Fund Account, for personal services,
 11 operating expenses, grants and aid, and state matching funds of the Economic
 12 Development Commission - State Operations for the fiscal year ending June 30,
 13 2015, the following:

14

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2014-2015</u>
17	(01) REGULAR SALARIES	\$4,768,725
18	(02) PERSONAL SERVICES MATCHING	1,437,587
19	(03) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	1,550,204
21	(B) CONF. & TRAVEL	141,486
22	(C) PROF. FEES	1,465,000
23	(D) CAP. OUTLAY	100,000
24	(E) DATA PROC.	0
25	(04) ECONOMIC INFRASTRUCTURE/REGIONALISM	
26	GRANTS	1,000,000
27	(05) FAR EAST TRADE/IND RECRUITMENT	150,000
28	(06) INDUSTRY TRAINING PROGRAM	16,000,000
29	(07) FOR STATE MATCHING OF FEDERAL FUNDS	<u>228,500</u>
30	TOTAL AMOUNT APPROPRIATED	<u><u>\$26,841,502</u></u>

31

32 SECTION 3. APPROPRIATION - COMMUNITY ASSISTANCE - FEDERAL. There is
 33 hereby appropriated, to the Economic Development Commission, to be payable
 34 from the federal funds as designated by the Chief Fiscal Officer of the
 35 State, for personal services, operating expenses and grants and aid by the
 36 Economic Development Commission - Community Assistance - Federal for the

1 fiscal year ending June 30, 2015, the following:

2

3

4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2014-2015</u>
6	(01) REGULAR SALARIES	\$316,008
7	(02) PERSONAL SERVICES MATCHING	103,999
8	(03) MAINT. & GEN. OPERATION	
9	(A) OPER. EXPENSE	60,600
10	(B) CONF. & TRAVEL	25,000
11	(C) PROF. FEES	70,000
12	(D) CAP. OUTLAY	0
13	(E) DATA PROC.	0
14	(04) GRANTS/AIDS - CDBG	30,000,000
15	(05) STORM RECOVERY GRANTS	76,425,796
16	(06) FLOOD RECOVERY GRANTS	1,305,000
17	(07) ARRA OF 2009	<u>1,129,128</u>
18	TOTAL AMOUNT APPROPRIATED	<u>\$109,435,531</u>

19

20 SECTION 4. APPROPRIATION - STATE ENERGY PLAN - FEDERAL. There is
 21 hereby appropriated, to the Economic Development Commission, to be payable
 22 from the federal funds as designated by the Chief Fiscal Officer of the
 23 State, for personal services, operating expenses, and grants and aid by the
 24 Economic Development Commission - State Energy Plan - Federal for the fiscal
 25 year ending June 30, 2015, the following:

26

27	ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2014-2015</u>
29	(01) REGULAR SALARIES	\$295,239
30	(02) PERSONAL SERVICES MATCHING	99,244
31	(03) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	93,273
33	(B) CONF. & TRAVEL	11,788
34	(C) PROF. FEES	218,085
35	(D) CAP. OUTLAY	0
36	(E) DATA PROC.	0

1	(04) ENERGY CONSERVATION GRANTS AND AID	<u>151,952</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$869,581</u></u>

3

4 SECTION 5. APPROPRIATION - ENERGY EFFICIENCY ARKANSAS - CASH. There is
 5 hereby appropriated, to the Economic Development Commission, to be payable
 6 from the cash fund deposited in the State Treasury as determined by the Chief
 7 Fiscal Officer of the State, for personal services, operating expenses, and
 8 grants and aid by the Economic Development Commission - Energy Efficiency
 9 Arkansas - Cash for the fiscal year ending June 30, 2015, the following:

10

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2014-2015</u>
13	(01) REGULAR SALARIES	\$80,257
14	(02) PERSONAL SERVICES MATCHING	27,194
15	(03) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	93,900
17	(B) CONF. & TRAVEL	2,000
18	(C) PROF. FEES	1,927,205
19	(D) CAP. OUTLAY	0
20	(E) DATA PROC.	0
21	(04) ENERGY EFFICIENCY ARKANSAS GRANTS	<u>450,000</u>
22	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,580,566</u></u>

23

24 SECTION 6. APPROPRIATION - INCENTIVE PLANS - CASH. There is hereby
 25 appropriated, to the Economic Development Commission, to be payable from cash
 26 funds as defined by Arkansas Code 19-4-801 of the Economic Development
 27 Commission, for expenses of assisting industries in the negotiation of
 28 financial incentive plans of the Economic Development Commission - Incentive
 29 Plans - Cash for the fiscal year ending June 30, 2015, the following:

30

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2014-2015</u>
33	(01) FINANCIAL INCENTIVE PLANS - EXPENSES	<u>\$1,261</u>

34

35 SECTION 7. APPROPRIATION - TRADE AND INTERNATIONAL INVESTMENT DIVISION
 36 - CASH. There is hereby appropriated, to the Economic Development

1 Commission, to be payable from cash funds as defined by Arkansas Code
2 19-4-801 of the Economic Development Commission, for marketing expenses of
3 the Economic Development Commission - Trade and International Investment
4 Division - Cash for the fiscal year ending June 30, 2015, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2014-2015</u>
8 (01) TRADE AND INTERNATIONAL INVESTMENT	
9 MARKETING EXPENSES	<u>\$8,785</u>

10
11 SECTION 8. APPROPRIATION - EXISTING BUSINESS RESOURCE PROGRAM - CASH.
12 There is hereby appropriated, to the Economic Development Commission, to be
13 payable from cash funds as defined by Arkansas Code 19-4-801 of the Economic
14 Development Commission, for Existing Business Resource Program expenses of
15 the Economic Development Commission - Existing Business Resource Program -
16 Cash for the fiscal year ending June 30, 2015, the following:

18 ITEM	FISCAL YEAR
19 <u>NO.</u>	<u>2014-2015</u>
20 (01) EXISTING BUSINESS RESOURCE EXPENSES	<u>\$26,505</u>

21
22 SECTION 9. APPROPRIATION - PETROLEUM VIOLATION ESCROW - CASH. There is
23 hereby appropriated, to the Economic Development Commission, to be payable
24 from cash funds as defined by Arkansas Code 19-4-801 of the Economic
25 Development Commission, for operating expenses and grants to approved
26 projects from funds received from settlements with petroleum companies and
27 other miscellaneous cash funds by the Economic Development Commission -
28 Petroleum Violation Escrow - Cash for the fiscal year ending June 30, 2015,
29 the following:

31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2014-2015</u>
33 (01) ENERGY CONSERVATION GRANTS AND AID	<u>\$404,489</u>

34
35 SECTION 10. APPROPRIATION - CLEAN CITIES COALITION - CASH. There is
36 hereby appropriated, to the Economic Development Commission, to be payable

1 from the cash fund deposited in the State Treasury as determined by the Chief
 2 Fiscal Officer of the State, for operating expenses and grants and aid by the
 3 Economic Development Commission - Clean Cities Coalition - Cash for the
 4 fiscal year ending June 30, 2015, the following:

5

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2014-2015</u>
8 (01) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	\$20,000
10 (B) CONF. & TRAVEL	8,750
11 (C) PROF. FEES	105,255
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	0
14 (02) GRANTS FOR ALTERNATIVE FUEL PROJECTS	<u>55,000</u>
15 TOTAL AMOUNT APPROPRIATED	<u><u>\$189,005</u></u>

16

17 SECTION 11. APPROPRIATION - TECHNOLOGY ACCELERATION PROGRAM. There is
 18 hereby appropriated, to the Economic Development Commission, to be payable
 19 from the Technology Acceleration Fund, for investment incentives to enhance
 20 the economy of the state through technology development of the Economic
 21 Development Commission - Technology Acceleration Program for the fiscal year
 22 ending June 30, 2015, the following:

23

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2014-2015</u>
26 (01) TECHNOLOGY ACCELERATION PROGRAM	<u><u>\$30,000,000</u></u>

27

28 SECTION 12. APPROPRIATION - SUPER PROJECTS. There is hereby
 29 appropriated, to the Economic Development Commission, to be payable from the
 30 Economic Development Superprojects Project Fund, for Super Projects as
 31 defined by Amendment 82 to the Arkansas Constitution for the Economic
 32 Development Commission - Super Projects for the fiscal year ending June 30,
 33 2015, the following:

34

35 ITEM	FISCAL YEAR
36 <u>NO.</u>	<u>2014-2015</u>

1 (01) SUPER PROJECTS \$200,000,000

2

3 SECTION 13. APPROPRIATION - WEATHERIZATION ASSISTANCE PROGRAM. There
 4 is hereby appropriated, to the Economic Development Commission, to be payable
 5 from the federal funds as designated by the Chief Fiscal Officer of the
 6 State, for personal services, operating expenses, and grants and aid by the
 7 Economic Development Commission - Weatherization Assistance Program for the
 8 fiscal year ending June 30, 2015, the following:

9

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2014-2015</u>
12 (01) REGULAR SALARIES	\$181,266
13 (02) PERSONAL SERVICES MATCHING	66,691
14 (03) MAINT. & GEN. OPERATION	
15 (A) OPER. EXPENSE	19,500
16 (B) CONF. & TRAVEL	6,750
17 (C) PROF. FEES	13,500
18 (D) CAP. OUTLAY	0
19 (E) DATA PROC.	0
20 (04) DATA PROCESSING SERVICES	2,000
21 (05) WEATHERIZATION ASSISTANCE PROGRAM	<u>8,000,000</u>
22 TOTAL AMOUNT APPROPRIATED	<u>\$8,289,707</u>

23

24 *SECTION 14. APPROPRIATION - NEW MARKETS PERFORMANCE GUARANTEE PROGRAM.*
 25 *There is hereby appropriated, to the Economic Development Commission, to be*
 26 *payable from the New Markets Performance Guarantee Fund, for refunds and*
 27 *reimbursements of performance application fees of the New Markets Performance*
 28 *Guarantee Program of the Economic Development Commission for the fiscal year*
 29 *ending June 30, 2015 the following:*

30

31 <i>ITEM</i>	<i>FISCAL YEAR</i>
32 <u><i>NO.</i></u>	<u><i>2014-2015</i></u>
33 (01) <i>REFUNDS/REIMBURSEMENTS</i>	<u><u><i>\$875,781</i></u></u>

34

35 *SECTION 15. 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. The Arkansas Economic Development Commission
2 (AEDC) may utilize Industry Training Program (ITP) appropriation and funds
3 for personal services, operating expenses, grants and aid, capital
4 acquisition, and other appropriate purposes to provide industry-specific
5 training opportunities. AEDC shall submit a quarterly report of industry
6 training activities to the Governor and the Legislative Council or Joint
7 Budget Committee. In addition to training expenses, funds made available to
8 support the appropriation for ~~Industry Training Program (ITP)~~ herein may be
9 used to acquire capital equipment necessary to enhance the capabilities of
10 the Arkansas Industry Training Programs and for expenses necessary to assist
11 in carrying on the Existing Worker Training Program. When not in use in an
12 AITP managed course of training, the equipment purchased under this provision
13 shall be stored at a location to be determined by the Executive Director of
14 AEDC.

15 *The provisions of this section shall be effect only from July 1, ~~2013~~*
16 *2014 through July 1, ~~2014~~ 2015.*

17
18 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOREIGN
20 OFFICE OPERATIONS. The Arkansas Economic Development Commission is hereby
21 authorized to enter into contractual arrangements with private and/or public
22 companies, corporations, individuals or organizations for the purpose of
23 operating foreign offices. Arkansas Code 15-4-211 shall not be deemed
24 restrictive in its language so as to preclude the use of standard
25 Professional Services Contracts for the operation of the foreign offices
26 and/or payment of such contracts from the special line items as established
27 by legislative appropriation for the operation of said foreign offices.

28 The provisions of this section shall be in effect only from July 1, ~~2013~~
29 2014 through June 30, ~~2014~~ 2015.

30
31 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MULTI-USE
33 FACILITIES. The Arkansas Economic Development Commission (AEDC) shall
34 structure its annual update to the Five Year Consolidated Plan and the new
35 Five Year Consolidated Plan to reflect the legislative intent for a priority
36 to be placed on the use of Community Development Block Grant (CDBG) funds for

1 Multi-use facilities that will offer combined facilities for programs
2 commonly offered in separate facilities such as senior centers, public health
3 centers, childcare centers and community centers. AEDC shall report the
4 methodology for complying with this priority to the Legislative Council.

5 The provisions of this section shall be in effect only from July 1, ~~2013~~
6 2014 through June 30, ~~2014~~ 2015.

7

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

19 The provisions of this section shall be in effect only from July 1, ~~2013~~
20 2014 through June 30, ~~2014~~ 2015.

21

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

32 The provisions of this section shall be in effect only from July 1, ~~2013~~
33 2014 through June 30, ~~2014~~ 2015.

34

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

1 REVIEW. The Arkansas Economic Development Commission (AEDC) shall review all
2 applications for grant funds from the Rural Development Set-Aside and shall
3 certify to the Department of Rural Services those applications eligible for
4 grant funds under AEDC and federal guidelines. The Department of Rural
5 Services alone shall decide which grant applications will be funded, and AEDC
6 shall disburse grant funds from the Rural Development Set-Aside to those
7 applicants receiving final approval by the Department of Rural Services. AEDC
8 and the Department of Rural Services shall promulgate rules and regulations
9 governing the application for and disbursement of grant funds from the Rural
10 Development Set-Aside, and an annual report of the disposition of these grant
11 funds shall be made to the Legislative Joint Auditing Committee.

12 The provisions of this section shall be in effect only from July 1, ~~2013~~
13 2014 through June 30, ~~2014~~ 2015.

14

15 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
17 PROVISION - FOREIGN OFFICES. If at any time during the fiscal year, the
18 Director determines that market conditions warrant, the Arkansas Economic
19 Development Commission is hereby authorized to transfer appropriation, after
20 receiving the approval of the Chief Fiscal Officer of the State and prior
21 approval by the Legislative Council or Joint Budget Committee, between the
22 Foreign Offices in the State Operations Section of this Act for the purpose
23 of responding to changes in the world markets.

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

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

4 The provisions of this section shall be in effect only from July 1, ~~2013~~
5 2014 through June 30, ~~2014~~ 2015.

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

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, ~~2013~~
2 2014 through June 30, ~~2014~~ 2015.

3
4 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
6 PROVISION. After receiving approval from the Chief Fiscal Officer of the
7 State and prior approval by the Legislative Council or Joint Budget
8 Committee, the Director of the Arkansas Economic Development Commission is
9 authorized to transfer appropriation from any line item appropriation
10 authorized in the Community Assistance (CDBG) - Federal Section of this Act
11 to any other line item authorized in the Community Assistance (CDBG) -
12 Federal Section of this Act.

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

29 The provisions of this section shall be in effect only from July 1, ~~2013~~
30 2014 through June 30, ~~2014~~ 2015.

31
32 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 FLEXIBILITY RESTRICTIONS. The transfer flexibility provided to the Arkansas
35 Economic Development Commission within this Act relating to the appropriation
36 in the Community Assistance (CDBG) - Federal Section shall be used only when

1 necessary to carry out the Community Development Block Grant Program and
2 shall require approval by the Arkansas Legislative Council or Joint Budget
3 Committee.

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

20 The provisions of this section shall be in effect only from July 1, ~~2013~~
21 2014 through June 30, ~~2014~~ 2015.

22
23 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
25 PROVISION - INDUSTRY TRAINING. If during the fiscal year, the Industry
26 Training Division effects savings in item (06), State Operations Section of
27 this Act, such savings may be transferred to item (03), Maintenance and
28 General Operations, of the State Operations Section of this Act, after
29 obtaining approval of the Chief Fiscal Officer of the State and after prior
30 review by the Legislative Council or Joint Budget Committee. In addition, if
31 any savings are effected in the fiscal year in item (03), Maintenance and
32 General Operations, of the State Operations Section of this Act, such savings
33 may be transferred to item (06), Industry Training Program, of the State
34 Operations Section of this Act, after obtaining approval of the Chief Fiscal
35 Officer of the State and after prior approval by the Legislative Council or
36 Joint Budget 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 Arkansas Economic Development Commission may operate
8 more efficiently if some flexibility is provided to the Arkansas Economic
9 Development Commission authorizing broad powers under this Section.
10 Therefore, it is both necessary and appropriate that the General Assembly
11 maintain oversight by requiring prior approval of the Legislative Council or
12 Joint Budget Committee as provided by this section. The requirement of
13 approval by the Legislative Council or Joint Budget Committee is not a
14 severable part of this section. If the requirement of approval by the
15 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
16 court of competent jurisdiction, this entire section is void.

17 The provisions of this section shall be in effect only from July 1, ~~2013~~
18 2014 through June 30, ~~2014~~ 2015.

19
20 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
22 TRANSFER. The Chief Fiscal Officer of the State may transfer from time to
23 time on his or her books and those of the State Treasurer and the Auditor of
24 the State the sum not to exceed thirty million dollars (\$30,000,000) from
25 Federal Funds as determined by the Chief Fiscal Officer of the State to the
26 Technology Acceleration Fund to provide funds for the appropriation herein.

27
28 SECTION 27. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
29 authorized by this act shall be limited to the appropriation for such agency
30 and funds made available by law for the support of such appropriations; and
31 the restrictions of the State Procurement Law, the General Accounting and
32 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
33 Procedures and Restrictions Act, or their successors, and other fiscal
34 control laws of this State, where applicable, and regulations promulgated by
35 the Department of Finance and Administration, as authorized by law, shall be
36 strictly complied with in disbursement of said funds.

1
2 SECTION 28. LEGISLATIVE INTENT. It is the intent of the General
3 Assembly that any funds disbursed under the authority of the appropriations
4 contained in this act shall be in compliance with the stated reasons for
5 which this act was adopted, as evidenced by the Agency Requests, Executive
6 Recommendations and Legislative Recommendations contained in the budget
7 manuals prepared by the Department of Finance and Administration, letters, or
8 summarized oral testimony in the official minutes of the Arkansas Legislative
9 Council or Joint Budget Committee which relate to its passage and adoption.

10
11 SECTION 29. EMERGENCY CLAUSE. It is found and determined by the
12 General Assembly, that the Constitution of the State of Arkansas prohibits
13 the appropriation of funds for more than a one (1) year period; that the
14 effectiveness of this Act on July 1, 2014 is essential to the operation of
15 the agency for which the appropriations in this Act are provided, and that in
16 the event of an extension of the legislative session, the delay in the
17 effective date of this Act beyond July 1, 2014 could work irreparable harm
18 upon the proper administration and provision of essential governmental
19 programs. Therefore, an emergency is hereby declared to exist and this Act
20 being necessary for the immediate preservation of the public peace, health
21 and safety shall be in full force and effect from and after July 1, 2014.

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23 */s/ Joint Budget Committee*
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