

Stricken language will be deleted and underlined language will be added.  
Act 985 of the Regular Session

State of Arkansas *As Engrossed: S2/17/15 S3/26/15 S3/27/15 S3/30/15*

90th General Assembly

# A Bill

Regular Session, 2015

SENATE BILL 111

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE ARKANSAS ECONOMIC  
DEVELOPMENT COMMISSION FOR THE FISCAL YEAR ENDING  
JUNE 30, 2016; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS ECONOMIC  
DEVELOPMENT COMMISSION APPROPRIATION FOR  
THE 2015-2016 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the  
Arkansas Economic Development Commission for the 2015-2016 fiscal year, the  
following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2015-2016
(1)	U055U	AEDC DIRECTOR	1	\$139,706
(2)	U105U	AEDC DEP DIR FINANCE & ADMIN	1	\$119,839
(3)	U059U	AEDC DEPUTY DIRECTOR	1	\$119,839
(4)	N180N	AEDC ARKANSAS ENERGY OFFICE DIRECTOR	1	GRADE N908
(5)	N062N	AEDC BUSINESS DEVELOPMENT DIV DIR	1	GRADE N908
(6)	N061N	AEDC BUSINESS FINANCE DIRECTOR	1	GRADE N908
(7)	N059N	AEDC TRAINING DIVISION DIRECTOR	1	GRADE N908



(8)	N085N	AEDC DIR TECH & ENTREPRENEURSHIP	1	GRADE N907
(9)	N084N	AEDC MRKT & COMMUNICATIONS DIR	1	GRADE N907
(10)	N083N	AEDC STRATEGIC PLANNING DIRECTOR	1	GRADE N907
(11)	G245C	AEDC DIR OF COMM DEV & IMPROVEMENT	1	GRADE C128
(12)	G014C	AEDC DIR OF COMMUNITY DEVELOPMENT	1	GRADE C128
(13)	P002C	AEDC DIRECTOR FILM COMMISSION	1	GRADE C128
(14)	G013C	AEDC MANAGER OF STRATEGIC ENERGY DEV	1	GRADE C128
(15)	G015C	AEDC SMALL/MINORITY BUSINESS DIR	1	GRADE C128
(16)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
(17)	A014C	FISCAL DIVISION MANAGER	2	GRADE C127
(18)	G048C	AEDC STRATEGIC PLANNING ASST DIR	1	GRADE C126
(19)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
(20)	G062C	AEDC PROJECT CONSULTANT	40	GRADE C125
(21)	G076C	ADMINISTRATIVE SERVICES MANAGER	2	GRADE C124
(22)	D029C	SENIOR GIS ANALYST	1	GRADE C124
(23)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
(24)	D054C	COMPUTER SUPPORT COORDINATOR	1	GRADE C121
(25)	R014C	PERSONNEL MANAGER	1	GRADE C121
(26)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE C121
(27)	G248C	ENERGY PROGRAM COORDINATOR	1	GRADE C120
(28)	G159C	DEPARTMENT BUSINESS COORDINATOR	1	GRADE C119
(29)	G148C	ENERGY PROGRAM MANAGER	2	GRADE C119
(30)	G147C	GRANTS COORDINATOR	1	GRADE C119
(31)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
(32)	D065C	NETWORK SUPPORT ANALYST	1	GRADE C118
(33)	D064C	WEBSITE DEVELOPER	1	GRADE C118
(34)	A082C	ACCOUNTANT II	3	GRADE C117
(35)	R027C	BUDGET SPECIALIST	1	GRADE C117
(36)	G180C	GRANTS ANALYST	5	GRADE C117
(37)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
(38)	B076C	RESEARCH PROJECT ANALYST	1	GRADE C117
(39)	P027C	PUBLIC INFORMATION SPECIALIST	2	GRADE C116
(40)	C037C	ADMINISTRATIVE ANALYST	2	GRADE C115
(41)	R033C	BENEFITS ANALYST	1	GRADE C115
(42)	D077C	HELP DESK SPECIALIST	1	GRADE C115
(43)	P041C	COMMERCIAL GRAPHIC ARTIST	1	GRADE C114

(44) C056C ADMINISTRATIVE SPECIALIST III 7 GRADE C112  
 MAX. NO. OF EMPLOYEES 100

SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Arkansas Economic Development Commission, to be payable from the Arkansas Economic Development Commission Fund Account, for personal services, operating expenses, grants and aid, and state matching funds of the Arkansas Economic Development Commission - State Operations for the fiscal year ending June 30, 2016, the following:

ITEM <u>NO.</u>	FISCAL YEAR <u>2015-2016</u>
(01) REGULAR SALARIES	\$4,776,269
(02) PERSONAL SERVICES MATCHING	1,491,889
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,548,238
(B) CONF. & TRAVEL	141,486
(C) PROF. FEES	1,465,000
(D) CAP. OUTLAY	100,000
(E) DATA PROC.	0
(04) ECONOMIC INFRASTRUCTURE/REGIONALISM GRANTS	1,000,000
(05) FAR EAST TRADE/IND RECRUITMENT	150,000
(06) INDUSTRY TRAINING PROGRAM	14,221,586
(07) FOR STATE MATCHING OF FEDERAL FUNDS	<u>228,500</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$25,122,968</u></u>

SECTION 3. APPROPRIATION - COMMUNITY ASSISTANCE - FEDERAL. There is hereby appropriated, to the Arkansas Economic Development Commission, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses, and grants and aid by the Arkansas Economic Development Commission - Community Assistance - Federal for the fiscal year ending June 30, 2016, the following:

ITEM <u>NO.</u>	FISCAL YEAR <u>2015-2016</u>
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(01)	REGULAR SALARIES	\$295,622
(02)	PERSONAL SERVICES MATCHING	100,759
(03)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	60,600
	(B) CONF. & TRAVEL	25,000
	(C) PROF. FEES	70,000
	(D) CAP. OUTLAY	0
	(E) DATA PROC.	0
(04)	GRANTS/AIDS - CDBG	27,500,000
(05)	STORM RECOVERY GRANTS	15,079,614
(06)	FLOOD RECOVERY GRANTS	<u>615,710</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$43,747,305</u>

SECTION 4. APPROPRIATION - STATE ENERGY PLAN - FEDERAL. There is hereby appropriated, to the Arkansas Economic Development Commission, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses, and grants and aid by the Arkansas Economic Development Commission - State Energy Plan - Federal for the fiscal year ending June 30, 2016, the following:

ITEM	FISCAL YEAR	
<u>NO.</u>	<u>2015-2016</u>	
(01)	REGULAR SALARIES	\$226,499
(02)	PERSONAL SERVICES MATCHING	82,221
(03)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	118,273
	(B) CONF. & TRAVEL	36,788
	(C) PROF. FEES	268,085
	(D) CAP. OUTLAY	0
	(E) DATA PROC.	0
(04)	ENERGY CONSERVATION GRANTS AND AID	<u>551,952</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$1,283,818</u>

SECTION 5. APPROPRIATION - ENERGY EFFICIENCY ARKANSAS - CASH. There is hereby appropriated, to the Arkansas Economic Development Commission, to be payable from the cash fund deposited in the State Treasury as determined by

the Chief Fiscal Officer of the State, for personal services, operating expenses, and grants and aid by the Arkansas Economic Development Commission - Energy Efficiency Arkansas - Cash for the fiscal year ending June 30, 2016, the following:

ITEM NO.	FISCAL YEAR 2015-2016
(01) REGULAR SALARIES	\$82,119
(02) PERSONAL SERVICES MATCHING	28,927
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	93,900
(B) CONF. & TRAVEL	2,000
(C) PROF. FEES	750,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) ENERGY EFFICIENCY ARKANSAS GRANTS	<u>450,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,406,946</u></u>

SECTION 6. APPROPRIATION - CLEAN CITIES COALITION - CASH. There is hereby appropriated, to the Arkansas Economic Development Commission, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses and grants and aid by the Arkansas Economic Development Commission - Clean Cities Coalition - Cash for the fiscal year ending June 30, 2016, the following:

ITEM NO.	FISCAL YEAR 2015-2016
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$20,000
(B) CONF. & TRAVEL	8,750
(C) PROF. FEES	105,255
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(02) GRANTS FOR ALTERNATIVE FUEL PROJECTS	<u>55,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$189,005</u></u>

SECTION 7. APPROPRIATION - TECHNOLOGY ACCELERATION PROGRAM. There is hereby appropriated, to the Arkansas Economic Development Commission, to be payable from the Technology Acceleration Fund, for investment incentives to enhance the economy of the state through technology development of the Arkansas Economic Development Commission - Technology Acceleration Program for the fiscal year ending June 30, 2016, the following:

ITEM NO.	FISCAL YEAR 2015-2016
(01) TECHNOLOGY ACCELERATION PRGM	<u>\$30,000,000</u>

SECTION 8. APPROPRIATION - SUPER PROJECTS. There is hereby appropriated, to the Arkansas Economic Development Commission, to be payable from the Economic Development Superprojects Project Fund, for Super Projects as defined by Amendment 82 to the Arkansas Constitution for the Arkansas Economic Development Commission - Super Projects for the fiscal year ending June 30, 2016, the following:

ITEM NO.	FISCAL YEAR 2015-2016
(01) SUPER PROJECTS	<u>\$200,000,000</u>

SECTION 9. APPROPRIATION - WEATHERIZATION ASSISTANCE PROGRAM. There is hereby appropriated, to the Arkansas Economic Development Commission, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses, and grants and aid by the Arkansas Economic Development Commission - Weatherization Assistance Program for the fiscal year ending June 30, 2016, the following:

ITEM NO.	FISCAL YEAR 2015-2016
(01) REGULAR SALARIES	\$193,426
(02) PERSONAL SERVICES MATCHING	69,591
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	19,500
(B) CONF. & TRAVEL	6,750

(C) PROF. FEES	13,500
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) DATA PROCESSING SERVICES	2,000
(05) WEATHERIZATION ASSISTANCE PROGRAM	<u>8,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>8,304,767</u></u>

SECTION 10. APPROPRIATION - NEW MARKETS PERFORMANCE PROGRAM. There is hereby appropriated, to the Arkansas Economic Development Commission, to be payable from the New Markets Performance Guarantee Fund, for refunds and reimbursements of performance program application fees of the Arkansas Economic Development Commission - New Markets Performance Program for the fiscal year ending June 30, 2016, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) REFUNDS/REIMBURSEMENTS	<u><u>\$875,781</u></u>

SECTION 11. APPROPRIATION - QUICK ACTION CLOSING FUND. There is hereby appropriated, to the Arkansas Economic Development Commission, to be payable from the Economic Development Incentive Quick Action Closing Fund, for incentives to attract new business and economic development to the State by the Arkansas Economic Development Commission - Quick Action Closing Fund for the fiscal year ending June 30, 2016, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) QUICK ACTION CLOSING GRANTS	<u><u>\$50,000,000</u></u>

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDUSTRY TRAINING PROGRAM EXPENSES. The Arkansas Economic Development Commission (AEDC) may utilize Industry Training Program (ITP) appropriation and funds for personal services, operating expenses, grants and aid, capital acquisition, and other appropriate purposes to provide industry-specific training opportunities. AEDC shall submit a quarterly report of industry

training activities to the Governor and the Legislative Council or Joint Budget Committee. In addition to training expenses, funds made available to support the appropriation for ITP herein may be used to acquire capital equipment necessary to enhance the capabilities of the Arkansas Industry Training Programs and for expenses necessary to assist in carrying on the Existing Worker Training Program. When not in use in an ITP managed course of training, the equipment purchased under this provision shall be stored at a location to be determined by the Executive Director of AEDC.

The provisions of this section shall be effect only from July 1, ~~2014~~ 2015 through July 1, ~~2015~~ 2016.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOREIGN OFFICE OPERATIONS. The Arkansas Economic Development Commission is hereby authorized to enter into contractual arrangements with private and/or public companies, corporations, individuals or organizations for the purpose of operating foreign offices. Arkansas Code 15-4-~~211~~ 210 shall not be deemed restrictive in its language so as to preclude the use of standard Professional Services Contracts for the operation of the foreign offices and/or payment of such contracts from the special line items as established by legislative appropriation for the operation of said foreign offices.

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MULTI-USE FACILITIES. The Arkansas Economic Development Commission (AEDC) shall structure its annual update to the Five Year Consolidated Plan and the new Five Year Consolidated Plan to reflect the legislative intent for a priority to be placed on the use of Community Development Block Grant (CDBG) funds for Multi-use facilities that will offer combined facilities for programs commonly offered in separate facilities such as senior centers, public health centers, childcare centers and community centers. AEDC shall report the methodology for complying with this priority to the Legislative Council.

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RURAL DEVELOPMENT. From the funds appropriated for Community Development Grants within the Community Development Program in this Act for Community Assistance-Federal, the Arkansas Economic Development Commission (AEDC) shall allocate \$500,000 per fiscal year to the Rural Development Set-Aside from the Economic Development Set-Aside, as defined in AEDC's Consolidated Plan filed with the federal Department of Housing and Urban Development. Funds allocated to the Rural Development Set-Aside are to be used exclusively for grants to rural communities as defined in the Consolidated Plan.

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT REVIEW. The Arkansas Economic Development Commission (AEDC) shall review all applications for grant funds from the Rural Development Set-Aside and shall certify to the Department of Rural Services those applications eligible for grant funds under AEDC and federal guidelines. The Department of Rural Services alone shall decide which grant applications will be funded, and AEDC shall disburse grant funds from the Rural Development Set-Aside to those

applicants receiving final approval by the Department of Rural Services. AEDC and the Department of Rural Services shall promulgate rules and regulations governing the application for and disbursement of grant funds from the Rural Development Set-Aside, and an annual report of the disposition of these grant funds shall be made to the Legislative Joint Auditing Committee.

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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

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

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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

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

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the

State and prior approval by the Legislative Council or Joint Budget Committee, the Director of the Arkansas Economic Development Commission is authorized to transfer appropriation from any line item appropriation authorized in the Community Assistance (CDBG) - Federal Section of this Act to any other line item authorized in the Community Assistance (CDBG) - Federal Section of this Act.

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

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FLEXIBILITY RESTRICTIONS. The transfer flexibility provided to the Arkansas Economic Development Commission within this Act relating to the appropriation in the Community Assistance (CDBG) - Federal Section shall be used only when necessary to carry out the Community Development Block Grant Program and shall require approval by the Arkansas Legislative Council or Joint Budget Committee.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by

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

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION - INDUSTRY TRAINING. If during the fiscal year, the Industry Training Division effects savings in item (06), State Operations Section of this Act, such savings may be transferred to item (03), Maintenance and General Operations, of the State Operations Section of this Act, after obtaining approval of the Chief Fiscal Officer of the State and after prior review by the Legislative Council or Joint Budget Committee. In addition, if any savings are effected in the fiscal year in item (03), Maintenance and General Operations, of the State Operations Section of this Act, such savings may be transferred to item (06), Industry Training Program, of the State Operations Section of this Act, after obtaining approval of the Chief Fiscal Officer of the State and after prior approval by the Legislative Council or Joint Budget Committee.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly

has determined that the Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Arkansas Economic Development Commission authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

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

The provisions of this section shall be in effect only from July 1, 2015 through June 30, 2016.

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

ADDITIONAL PAYMENTS AUTHORIZED. The Arkansas Industrial and Economic Development Foundation is hereby authorized to make additional payments to the Director of the Arkansas Economic Development Commission, from private funding sources, and upon prior approval from the Arkansas Economic Development Commission, the Arkansas Industrial and Economic Development Foundation, and the Governor. Such additional payments to the Director of the Arkansas Economic Development Commission shall not be considered salary and shall not be deemed or construed to exceed the maximum salaries established for unclassified employees by the General Assembly. Nothing in this section may be construed to reduce or eliminate the authority granted elsewhere in the Arkansas statute for the payment of allowances or bonuses to

unclassified employees.

The provisions of this section shall be in effect only from July 1, 2015 through June 30, 2016.

SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER - SKILLS DEVELOPMENT FUND. Immediately upon the effective date of this Act, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of the State ~~the~~ ~~sum of~~ an amount up to fifteen million, five hundred thirty-four thousand, two hundred fifty-six dollars (\$15,534,256) from the Arkansas Economic Development Commission Fund Account to the Skills Development Fund at the Department of Career Education for the Office of Skills Development.

SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW. CARRY FORWARD - INDUSTRY TRAINING PROGRAM. Any unexpended balance of funds for the Industry Training Program in the Arkansas Economic Development Commission Fund Account which remain at the close of each state fiscal year shall be carried forward to the next state fiscal year to be used for the same intent and purposes as set forth in law.

Any carry forward of unexpended balance of funding as authorized herein, may be carried forward under the following conditions:

(1) Prior to June 30, 2015 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;

(3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written

statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

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

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

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

SECTION 29. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2015 is essential to the operation of the agency for which the appropriations in this Act are provided; with the exception that SECTION 26 in this Act shall be in full force and effect from and after the date of its passage and approval and that in the event of an extension of the Legislative Session, the delay in the effective date of this

Act beyond July 1, 2015, with the exception that SECTION 26 in this Act shall be in full force and effect from and after the date of its passage and approval could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2015; with the exception that SECTION 26 in this Act shall be in full force and effect from and after the date of its passage and approval.

/s/Joint Budget Committee

**APPROVED: 04/02/2015**