

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 32

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF COMMERCE
FOR THE FISCAL YEAR ENDING JUNE 30, 2024; AND FOR
OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF COMMERCE
APPROPRIATION FOR THE 2023-2024 FISCAL
YEAR.

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

SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby established for the Department of Commerce for the 2023-2024 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
(1)	SC002	ACOM SECRETARY OF COMMERCE	1	GRADE SE05
(2)	N215N	ACOM CHIEF OF STAFF	1	GRADE SE01
(3)	D012C	DATABASE SPECIALIST	1	GRADE IT08
(4)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE IT08
(5)	D054C	COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
(6)	D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
(7)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE IT05



(8)	N084N ACOM AEDC MRKT & COMMUNICATIONS DIR	1	GRADE GS15
(9)	G302C ACOM CHIEF LEGAL COUNSEL	1	GRADE GS15
(10)	A139C CHIEF FISCAL OFFICER	1	GRADE GS15
(11)	N066N ACOM CHIEF COMM & LEGISLATIVE AFFAIRS	2	GRADE GS14
(12)	G026N ACOM AEDC ASSISTANT DIRECTOR MGMT SVCS	1	GRADE GS12
(13)	A014C FISCAL DIVISION MANAGER	2	GRADE GS12
(14)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
(15)	R013C AGENCY HUMAN RESOURCES MANAGER	1	GRADE GS11
(16)	A040C ACOM ADFA FISCAL PROGRAM MANAGER	1	GRADE GS10
(17)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
(18)	A052C ACCOUNTING COORDINATOR	1	GRADE GS09
(19)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
(20)	A082C ACCOUNTANT II	5	GRADE GS08
(21)	R014C PERSONNEL MANAGER	1	GRADE GS08
(22)	A080C ACOM FINANCE AUTHORITY SPECIALIST	1	GRADE GS06
(23)	A074C FISCAL SUPPORT SUPERVISOR	1	GRADE GS06
(24)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
(25)	A091C FISCAL SUPPORT ANALYST	1	GRADE GS05
(26)	C056C ADMINISTRATIVE SPECIALIST III	<u>2</u>	GRADE GS04
	MAX. NO. OF EMPLOYEES	34	

SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is hereby appropriated, to the Department of Commerce, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Commerce - Shared Services for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) REGULAR SALARIES	\$2,400,543
(02) PERSONAL SERVICES MATCHING	848,330
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	272,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0

(E) DATA PROC.	0
TOTAL AMOUNT APPROPRIATED	\$3,520,873

SECTION 3. REGULAR SALARIES - OFFICE OF SKILLS DEVELOPMENT. There is hereby established for the Department of Commerce - Office of Skills Development for the 2023-2024 fiscal year, the following maximum number of regular employees.

Item	Class	Maximum	Maximum Annual
No.	Code Title	No. of	Salary Rate
		Employees	Fiscal Year
			2023-2024
(1)	U065U ACOM DEPUTY DIRECTOR	1	GRADE SE01
(2)	G010C ACOM DIVISION MANAGER	1	GRADE GS12
(3)	E074C ACOM PROGRAM COORDINATOR	4	GRADE GS10
(4)	E073C APPRENTICESHIP EXPANSION COORDINATOR	1	GRADE GS10
(5)	E075C ACOM PROGRAM ADVISOR	3	GRADE GS09
(6)	A060C SENIOR AUDITOR	1	GRADE GS08
(7)	A091C FISCAL SUPPORT ANALYST	1	GRADE GS05
(8)	C056C ADMINISTRATIVE SPECIALIST III	1	GRADE GS04
	MAX. NO. OF EMPLOYEES	13	

SECTION 4. APPROPRIATION - OFFICE OF SKILLS DEVELOPMENT ADMINISTRATION - OPERATIONS. There is hereby appropriated, to the Department of Commerce, to be payable from the Skills Development Fund, for personal services, operating expenses, and expenses of the Apprenticeship Program by the Department of Commerce - Office of Skills Development Administration - Operations for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
NO.	2023-2024
(01) REGULAR SALARIES	\$572,887
(02) PERSONAL SERVICES MATCHING	186,431
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	143,000
(B) CONF. & TRAVEL	10,000

(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) APPRENTICESHIP PROGRAM	<u>1,611,456</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$2,523,774</u></u>

SECTION 5. APPROPRIATION - OFFICE OF SKILLS DEVELOPMENT. There is hereby appropriated, to the Department of Commerce, to be payable from the Skills Development Fund, for personal services, operating expenses, and grants by the Department of Commerce - Office of Skills Development for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR
	2023-2024
(01) REGULAR SALARIES	\$209,296
(02) PERSONAL SERVICES MATCHING	68,865
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	65,000
(B) CONF. & TRAVEL	10,000
(C) PROF. FEES	50,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) WORKFORCE DEVELOPMENT GRANTS	4,500,000
(05) INDUSTRY TRAINING PROGRAM	15,000,000
(06) WORKFORCE IMPROVEMENT GRANTS	3,500,000
(07) INDUSTRY CERTIFICATION TESTING	<u>100,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$23,503,161</u></u>

SECTION 6. APPROPRIATION - CONSTRUCTION INDUSTRY CRAFT TRAINING PROGRAM. There is hereby appropriated, to the Department of Commerce, to be payable from the Arkansas Construction Industry Craft Training Trust Fund, for personal services, operating expenses and grants by the Department of Commerce - Construction Industry Craft Training Program for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
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<u>NO.</u>	<u>2023-2024</u>
(01) REGULAR SALARIES	\$53,335
(02) PERSONAL SERVICES MATCHING	19,537
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	12,000
(B) CONF. & TRAVEL	7,500
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) GRANTS TO CONSTRUCTION INDUSTRY CRAFT TRAINING PROGRAM	<u>800,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$892,372</u></u>

SECTION 7. APPROPRIATION - ARKANSAS WINE PRODUCERS COUNCIL. There is hereby appropriated, to the Department of Commerce, to be payable from the Miscellaneous Agencies Fund Account, for miscellaneous grants and expenses of the Department of Commerce - Arkansas Wine Producers Council for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) ARKANSAS WINE PRODUCERS COUNCIL	<u><u>\$5,000</u></u>

SECTION 8. APPROPRIATION - ARKANSAS WINE TOURISM FACILITY. There is hereby appropriated, to the Department of Commerce, to be payable from the Tourism Development Trust Fund, for land acquisition, construction, lease, equipment acquisition, improvements, renovation, major maintenance, personal services, maintenance and operating expenses associated with the wine tourism facility in Franklin County, Arkansas for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) ARKANSAS WINE TOURISM FACILITY EXPENSES	<u><u>\$1,250,000</u></u>

SECTION 9. APPROPRIATION - STATE APPRENTICESHIP EXPANSION. There is hereby appropriated, to the Department of Commerce, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses, and to expand opportunities relating to apprenticeship programs registered under the National Apprenticeship Act through grants, cooperative agreements, contracts and other arrangements, with states and other appropriate entities by the Department of Commerce - State Apprenticeship Expansion for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) REGULAR SALARIES	\$75,000
(02) PERSONAL SERVICES MATCHING	24,158
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	0
(B) CONF. & TRAVEL	4,750
(C) PROF. FEES	164,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$267,908</u></u>

SECTION 10. REGULAR SALARIES. There is hereby established for the Department of Commerce - Arkansas Economic Development Commission for the 2023-2024 fiscal year, the following maximum number of regular employees.

Item	Class	Maximum	Maximum Annual
<u>No.</u>	<u>Code Title</u>	<u>No. of</u>	<u>Salary Rate</u>
		<u>Employees</u>	<u>Fiscal Year</u>
			<u>2023-2024</u>
(1)	U055U ACOM AEDC DIRECTOR	1	GRADE SE04
(2)	U063U ACOM CHIEF INFORMATION OFFICER	1	GRADE SE01
(3)	N214N ACOM AEDC EXEC VP GLOBAL BUSINESS	1	GRADE SE01
(4)	D029C SENIOR GIS ANALYST	1	GRADE IT07
(5)	N062N ACOM AEDC BUSINESS DEVELOPMENT DIV DIR	1	GRADE GS15
(6)	N061N ACOM AEDC BUSINESS FINANCE DIRECTOR	1	GRADE GS15

(7)	N225N ACOM AEDC EXEC VP & GENERAL COUNSEL	1	GRADE GS15
(8)	N085N ACOM AEDC DIR TECH & ENTREPRENEURSHIP	1	GRADE GS14
(9)	G294C ACOM AEDC SENIOR COUNSEL	1	GRADE GS14
(10)	N083N ACOM AEDC STRATEGIC PLANNING DIRECTOR	1	GRADE GS14
(11)	N059N ACOM AEDC TRAINING DIVISION DIRECTOR	1	GRADE GS14
(12)	B139C ACOM AEDC DIRECTOR OF EPSCOR	1	GRADE GS13
(13)	B140C ACOM AEDC MANUFACTURING SOLUTIONS DIR	1	GRADE GS13
(14)	N196N MILITARY AFFAIRS DIRECTOR	1	GRADE GS13
(15)	G030N ACOM AEDC ASST DIR OF STEM EDUCATION	1	GRADE GS12
(16)	G034N ACOM AEDC ASST DIR SALES AND MARKETING	1	GRADE GS12
(17)	G245C ACOM AEDC DIR COMMUNITY DEV & IMPROVE	1	GRADE GS12
(18)	G014C ACOM AEDC DIR OF COMMUNITY DEVELOPMENT	1	GRADE GS12
(19)	B018N ACOM AEDC FIELD ENGINEER	4	GRADE GS12
(20)	G035N ACOM AEDC SALES AND MARKETING SPECIALIST	1	GRADE GS12
(21)	G273C ACOM AEDC SENIOR PROJECT CONSULTANT	4	GRADE GS12
(22)	G015C ACOM AEDC SMALL/MINORITY BUSINESS DIR	1	GRADE GS12
(23)	U099U ACOM DIRECTOR OF RURAL SERVICES	1	GRADE GS12
(24)	B016C ACOM AEDC ASSISTANT DIRECTOR EPSCOR	1	GRADE GS11
(25)	P076C ACOM AEDC DIGITAL MARKETING DIRECTOR	1	GRADE GS11
(26)	P002C ACOM AEDC DIRECTOR FILM COMMISSION	1	GRADE GS11
(27)	G062C ACOM AEDC PROJECT CONSULTANT	33	GRADE GS11
(28)	G048C ACOM AEDC STRATEGIC PLANNING ASST DIR	1	GRADE GS11
(29)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
(30)	G126C FINANCE PROGRAM COORDINATOR	1	GRADE GS08
(31)	A041C PROGRAM FISCAL MANAGER	1	GRADE GS08
(32)	C114C ACOM EXECUTIVE ASST TO SECRETARY	1	GRADE GS07
(33)	G148C ENERGY PROGRAM MANAGER	1	GRADE GS07
(34)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE GS07
(35)	C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
(36)	P027C PUBLIC INFORMATION SPECIALIST	2	GRADE GS06
(37)	B076C RESEARCH PROJECT ANALYST	2	GRADE GS06
(38)	C056C ADMINISTRATIVE SPECIALIST III	<u>6</u>	GRADE GS04
	MAX. NO. OF EMPLOYEES	85	

SECTION 11. EXTRA HELP. There is hereby authorized, for the Department of Commerce - Arkansas Economic Development Commission for the 2023-2024

fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: six (6) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 12. EXTRA HELP - RURAL SERVICES DIVISION. There is hereby authorized, for the Department of Commerce - Arkansas Economic Development Commission - Division of Rural Services for the 2023-2024 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one (1) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 13. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Commerce, 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 Department of Commerce - Arkansas Economic Development Commission - State Operations for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) REGULAR SALARIES	\$4,347,130
(02) EXTRA HELP	30,000
(03) PERSONAL SERVICES MATCHING	1,436,859
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,348,238
(B) CONF. & TRAVEL	141,486
(C) PROF. FEES	1,765,000
(D) CAP. OUTLAY	100,000
(E) DATA PROC.	0
(05) ECONOMIC INFRASTRUCTURE/REGIONALISM GRANTS	1,000,000

(06)	GLOBAL BUSINESS INITIATIVES	900,000
(07)	MILITARY AFFAIRS GRANT PROGRAM	750,000
(08)	INDUSTRY TRAINING PROGRAM	<u>1,714,800</u>
	TOTAL AMOUNT APPROPRIATED	<u><u>\$13,533,513</u></u>

SECTION 14. APPROPRIATION - COMMUNITY ASSISTANCE (CDBG) - FEDERAL.

There is hereby appropriated, to the Department of Commerce, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Commerce - Arkansas Economic Development Commission - Community Assistance (CDBG) - Federal for the fiscal year ending June 30, 2024, the following:

ITEM NO.		FISCAL YEAR 2023-2024
(01)	REGULAR SALARIES	\$381,665
(02)	PERSONAL SERVICES MATCHING	131,156
(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	48,261,988
(05)	STORM RECOVERY GRANTS	7,579,614
(06)	FLOOD RECOVERY GRANTS	<u>615,710</u>
	TOTAL AMOUNT APPROPRIATED	<u><u>\$57,125,733</u></u>

SECTION 15. APPROPRIATION - CDBG DISASTER RECOVERY. There is hereby appropriated, to the Department of Commerce - Arkansas Economic Development Commission, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for addressing long term recovery and restoration of infrastructure, housing and economic revitalization in the most impacted and distressed areas of the State for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
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<u>NO.</u>		<u>2023-2024</u>
(01)	CDBG DISASTER RECOVERY	<u>\$8,933,441</u>

SECTION 16. APPROPRIATION - ARKANSAS ACCELERATION FUND. There is hereby appropriated, to the Department of Commerce, to be payable from the Arkansas Acceleration Fund, for grants and incentives to accelerate the economy of the State through technology and knowledge-based development of the Department of Commerce - Arkansas Economic Development Commission - Arkansas Acceleration Fund for the fiscal year ending June 30, 2024, the following:

ITEM		FISCAL YEAR
<u>NO.</u>		<u>2023-2024</u>
(01)	ACCELERATION GRANTS & INCENTIVES	<u>\$100,000,000</u>

SECTION 17. APPROPRIATION - SUPER PROJECTS. There is hereby appropriated, to the Department of Commerce, to be payable from the Economic Development Superprojects Project Fund, for Super Projects as defined by Amendment 82 to the Arkansas Constitution for the Department of Commerce - Arkansas Economic Development Commission - Super Projects for the fiscal year ending June 30, 2024, the following:

ITEM		FISCAL YEAR
<u>NO.</u>		<u>2023-2024</u>
(01)	SUPER PROJECTS	<u>\$200,000,000</u>

SECTION 18. APPROPRIATION - NEW MARKETS PERFORMANCE PROGRAM. There is hereby appropriated, to the Department of Commerce, to be payable from the New Markets Performance Guarantee Fund, for refunds and reimbursements of performance program application fees of the Department of Commerce - Arkansas Economic Development Commission - New Markets Performance Program for the fiscal year ending June 30, 2024, the following:

ITEM		FISCAL YEAR
<u>NO.</u>		<u>2023-2024</u>
(01)	REFUNDS/REIMBURSEMENTS	<u>\$875,781</u>

SECTION 19. APPROPRIATION - QUICK ACTION CLOSING FUND. There is hereby appropriated, to the Department of Commerce, 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 Department of Commerce - Arkansas Economic Development Commission - Quick Action Closing Fund for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) QUICK ACTION CLOSING GRANTS	<u>\$75,000,000</u>

SECTION 20. APPROPRIATION - DIVISION OF SCIENCE AND TECHNOLOGY - STATE OPERATIONS. There is hereby appropriated, to the Department of Commerce, to be payable from the Arkansas Economic Development Commission Fund Account, for personal services, operating expenses and grants and aid by the Division of Science and Technology of the Department of Commerce - Arkansas Economic Development Commission - State Operations for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) REGULAR SALARIES	\$438,705
(02) PERSONAL SERVICES MATCHING	162,478
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	0
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) GRANTS & AID - ARKANSAS RESEARCH MATCH	292,653
(05) TECHNOLOGY DEVELOPMENT	156,975
(06) SEED CAPITAL INVESTMENTS	292,653
(07) ARKANSAS ACCELERATION FUND PROGRAM	<u>12,400,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$13,743,464</u>

SECTION 21. APPROPRIATION - DIVISION OF SCIENCE AND TECHNOLOGY - SEED CAPITAL INVESTMENT - CASH. There is hereby appropriated, to the Department of Commerce, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for investments in technology based businesses by the Division of Science and Technology of the Department of Commerce - Arkansas Economic Development Commission - Seed Capital Investment - Cash for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) INVESTMENTS	<u>\$1,540,000</u>

SECTION 22. APPROPRIATION - DIVISION OF SCIENCE AND TECHNOLOGY - ARKANSAS MANUFACTURING EXTENSION NETWORK - STATE. There is hereby appropriated, to the Department of Commerce, to be payable from the Arkansas Economic Development Commission Fund Account, for grants by the Division of Science and Technology of the Department of Commerce - Arkansas Economic Development Commission - Arkansas Manufacturing Extension Network - State for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) AR MANUFACTURING EXT NETWORK	<u>\$257,182</u>

SECTION 23. APPROPRIATION - DIVISION OF SCIENCE AND TECHNOLOGY - ARKANSAS MANUFACTURING EXTENSION NETWORK - FEDERAL. There is hereby appropriated, to the Department of Commerce, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses, grants and aid, and field services by the Division of Science and Technology of the Department of Commerce - Arkansas Economic Development Commission - Arkansas Manufacturing Extension Network - Federal for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>

(01)	REGULAR SALARIES	\$374,750
(02)	PERSONAL SERVICES MATCHING	122,779
(03)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	139,171
	(B) CONF. & TRAVEL	0
	(C) PROF. FEES	0
	(D) CAP. OUTLAY	0
	(E) DATA PROC.	0
(04)	GRANTS AND AID - AR MANUFACTURING EXTENSION NETWORK	275,000
(05)	FIELD SERVICES	<u>376,120</u>
	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,287,820</u></u>

SECTION 24. APPROPRIATION - DIVISION OF SCIENCE AND TECHNOLOGY - ARKANSAS MANUFACTURING EXTENSION NETWORK - CASH. There is hereby appropriated, to the Department of Commerce, 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 Division of Science and Technology of the Department of Commerce - Arkansas Economic Development Commission - Arkansas Manufacturing Extension Network - Cash for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR	
<u>NO.</u>	<u>2023-2024</u>	
(01)	REGULAR SALARIES	\$345,963
(02)	PERSONAL SERVICES MATCHING	115,181
(03)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	543,200
	(B) CONF. & TRAVEL	67,360
	(C) PROF. FEES	75,000
	(D) CAP. OUTLAY	0
	(E) DATA PROC.	0
(04)	AR MANUFACTURING NETWORK/TECHNOLOGY TRANSFER ASSISTANCE/OTHER GRANTS & AID	<u>13,270</u>
	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,159,974</u></u>

SECTION 25. APPROPRIATION - DIVISION OF SCIENCE AND TECHNOLOGY - ENERGY EFFICIENCY - CASH. There is hereby appropriated, to the Department of Commerce, 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 of the Division of Science and Technology of the Department of Commerce - Arkansas Economic Development Commission - Energy Efficiency - Cash for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$100,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$100,000</u></u>

SECTION 26. APPROPRIATION - DIVISION OF SCIENCE AND TECHNOLOGY - STEM EDUCATION - CASH. There is hereby appropriated, to the Department of Commerce, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for STEM program expenses of the Division of Science and Technology of the Department of Commerce - Arkansas Economic Development Commission - Stem Education - Cash for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) STEM PROGRAM EXPENSES	<u><u>\$40,000</u></u>

SECTION 27. APPROPRIATION - RURAL SERVICES DIVISION - STATE OPERATIONS. There is hereby appropriated, to the Department of Commerce, to be payable from the Arkansas Economic Development Commission Fund Account, for personal services, operating expenses and grants and aid by the Department of Commerce - Arkansas Economic Development Commission - Rural Services Division - State Operations for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) REGULAR SALARIES	\$154,934
(02) EXTRA HELP	2,000
(03) PERSONAL SERVICES MATCHING	61,702
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	72,038
(B) CONF. & TRAVEL	4,100
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) GRANTS & AID - RURAL COMMUNITY GRANTS	400,000
(06) RURAL FIRE PROTECTION GRANTS	<u>1,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,694,774</u></u>

SECTION 28. APPROPRIATION - RURAL SERVICES DIVISION - CONFERENCE CASH. There is hereby appropriated, to the Department of Commerce, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for conference expenses of the Rural Services Division of the Department of Commerce - Arkansas Economic Development Commission - Conference Cash for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) CONFERENCE EXPENSES	<u><u>\$100,000</u></u>

SECTION 29. APPROPRIATION - ARKANSAS ECONOMIC DEVELOPMENT COMMISSION - RURAL SERVICES - FISH AND WILDLIFE CONSERVATION EDUCATION PROGRAM. There is hereby appropriated, to the Department of Commerce, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for grants and operating expenses for the Fish and Wildlife Conservation Education Program by the Department of Commerce - Arkansas Economic Development Commission for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$0
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	50,000
(E) DATA PROC.	0
(02) FISH AND WILDLIFE CONSERVATION	
EDUCATION GRANTS AND AID	<u>800,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$850,000</u></u>

SECTION 30. APPROPRIATION - MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE LOAN MOBILIZATION. There is hereby appropriated, to the Department of Commerce - Arkansas Economic Development Commission, to be payable from the Minority and Women-Owned Business Loan Mobilization Revolving Fund, for promotion and development of minority and women-owned business enterprises in the state, increasing the ability of minority and women-owned business enterprises to compete for state contracts, and sustaining the economic growth of minority and women-owned for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) MINORITY & WOMEN-OWNED BUSINESS	
ENTERPRISE MOBILIZATION LOAN	<u><u>\$500,000</u></u>

SECTION 31. APPROPRIATION - RURAL SERVICES DIVISION - LAW ENFORCEMENT GRANTS. There is hereby appropriated, to the Department of Commerce - Arkansas Economic Development Commission - Rural Services Division, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for grants to law enforcement agencies and associations for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
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NO.	2023-2024
(01) GRANTS TO LAW ENFORCEMENT AGENCIES	<u>\$5,000,000</u>

SECTION 32. APPROPRIATION - DIVISION OF SCIENCE AND TECHNOLOGY - EPSCOR - FEDERAL. There is hereby appropriated, to the Department of Commerce - Arkansas Economic Development Commission - Division of Science and Technology, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for strengthening research and education in science and engineering in Arkansas for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) REGULAR SALARIES	\$240,016
(02) PERSONAL SERVICES MATCHING	131,511
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	254,080
(B) CONF. & TRAVEL	305,735
(C) PROF. FEES	447,470
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) GRANTS AND AID - RESEARCH AND EDUCATION	14,223,777
(05) EXTERNAL EVALUATORS	400,000
(06) INDIRECT FACILITIES AND ADMINISTRATIVE COSTS	<u>34,502</u>
TOTAL AMOUNT APPROPRIATED	<u>\$16,037,091</u>

SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER PROVISION. As requested from time to time by the Director of the Arkansas Economic Development Commission, the Chief Fiscal Officer may transfer on his books and those of the State Treasurer and the Auditor of the State, the sum not to exceed five hundred thousand dollars (\$500,000) from the Arkansas Economic Development Commission Fund Account to the Minority and Women-Owned Business Loan Mobilization Revolving Fund, to provide funds for the Minority and Women-Owned Business Enterprise Loan Mobilization appropriation herein.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD – MINORITY AND WOMEN-OWNED BUSINESS LOAN MOBILIZATION REVOLVING FUND. Any unexpended balance of funds for the Minority and Women-Owned Business Enterprise Loan Mobilization appropriation 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.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION – STATE OPERATIONS. After receiving approval from the Chief Fiscal Officer of the State and prior review 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 State Operations Section of this Act to any other line item authorized in the State Operations 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 review of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of review by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of review 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 36. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 6-50-102 is amended to codify special language in appropriation acts to read as follows:

6-50-102. Training ~~workers in existing industries~~ activities.

(a)(1) The role and function of the Arkansas Industry Training Program of the Arkansas Economic Development Council and the Arkansas Economic Development Commission is expanded to authorize the program to provide training of workers in existing industries as well as in new and expanding businesses and industries.

(2) Funds appropriated to the commission for the Arkansas Industry Training Program may be used for personal services, operating expenses, grants and aid, capital acquisition, and other purposes that provide industry-specific training opportunities.

(b)(1) Such training may be for Permissible training under subsection (a) of this section includes without limitation:

~~(1)~~(A) Upgrading skills and abilities of workers to operate modern, more sophisticated equipment;

~~(2)~~(B) Providing workers with skills needed for initiating more modern processes and using more sophisticated materials; and

~~(3)~~(C) Other situations which create a technical-upgrade training need of employees.

(2) The commission shall prepare a quarterly report detailing its training activities and submit that report to the Governor and the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(c) The resources provided shall not be used to address worker training needs caused by turnover and normal attrition.

(d) The commission shall cooperate with the Arkansas Higher Education Coordinating Board in the operation of this program.

SECTION 37. 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 which shall only (i) provide export trade assistance to Arkansas-based businesses, (ii) facilitate the repatriation to Arkansas manufacturing businesses operating overseas, and (iii) encourage direct investment in Arkansas of foreign companies that are not state-owned or controlled. Arkansas Code 15-4-210 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 38. 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 (CDBG) - Federal, the Arkansas Economic Development Commission (AEDC) shall allocate at least \$500,000 per fiscal year to the Rural Development Set-Aside from the annual Community Development Block Grant, 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024

SECTION 39. 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 and shall certify those applications eligible for grant funds under AEDC and federal guidelines. The Rural Services Division of the Arkansas Economic Development Commission alone shall recommend 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 Rural Services Division of the Arkansas Economic Development Commission. AEDC and the Rural Services Division of the Arkansas Economic Development Commission 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION - COMMUNITY ASSISTANCE (CDBG) - FEDERAL. 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 41. 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 42. 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 43. 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, ~~2023~~ 2024 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.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 44. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 15-3-116, concerning the deposit of moneys received by the Division of Science and Technology of the Arkansas Economic Development Commission, is amended to codify special language in appropriation acts and to add an additional subsection to read as follows:

(e) Notwithstanding any other law to the contrary regarding general revenue year-end fund balances, any moneys received from the repayment of seed capital investments authorized by the division and expensed from the Seed Capital Investments line item from in the Division of Science and Technology - State Operations Section of within this Act shall:

(1) Be deposited into the State Treasury to the credit of the Arkansas Economic Development Commission Fund Account; and

(2) Remain in the Arkansas Economic Development Commission Fund Account to be made available solely for the benefit of the Division of Science and Technology of the Arkansas Economic Development Commission to provide additional seed capital investments.

SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

CARRY FORWARD – TECHNOLOGY DEVELOPMENT. The Division of Science and Technology of the Arkansas Economic Development Commission is authorized to carry forward an amount of up to \$150,000 of any obligated but unexpended funds in the Technology Development line item in the Division of Science and Technology - State Operations Section of this Act for basic or applied research grants which remains at the end of the fiscal year ~~2023~~ 2024 to be used for the same purpose.

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

- (1) Prior to June 30, ~~2023~~ 2024 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.

The provisions of this section shall be in effect only from July 1 ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. APPROPRIATION AND FUND TRANSFERS. After receiving approval from the Chief Fiscal Officer of the State, the Director of the Arkansas Economic Development Commission is authorized to transfer appropriation and funds from the Division of Science and Technology State Operations - Arkansas Acceleration Fund Programs line item within the Arkansas Economic Development Commission Fund Account to the Arkansas Acceleration Fund. The total of all transfers shall not exceed \$3,500,000.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish, upon request from the Arkansas Economic Development Commission, a special appropriation line item to be used in the acquisition of promotional items. When the Arkansas Economic Development Commission wishes to transfer from its operating expenses to promotional items, the request shall be forwarded to the Chief Fiscal Officer of the State for processing after prior 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 48. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

GRANT AWARD CRITERIA. The Rural Services Division of the Arkansas Economic Development Commission shall promulgate regulations establishing the criteria to be utilized in determining to whom grants will be made under this Act. Subject to the approval of the Governor, and approval by the Arkansas Legislative Council or the Joint Budget Committee, the Rural Services Division of the Arkansas Economic Development Commission shall distribute the

grants.

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 Rural Services Division of the Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Rural Services Division of 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 49. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

TRANSFER OF FUNDS. In the event that revenue is available for transfer to and in support of the Arkansas Acceleration Fund Act, the Executive Director of the Arkansas Economic Development Commission shall certify to the Chief Fiscal Officer of the State the amount needed for transfer from the Arkansas Economic Development Commission Fund Account to the Arkansas Acceleration Fund. Upon the approval of the Chief Fiscal Officer of the State, the amount certified shall be transferred. The Chief Fiscal Officer of the State shall initiate the necessary transfer documents to reflect all such transfers upon the fiscal records of the State Auditor, the State Treasurer and the Chief Fiscal Officer of the State.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 50. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

CARRY FORWARD - MILITARY AFFAIRS GRANT PROGRAM. Any unexpended balance of funds allocated for the Military Affairs Grant 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, ~~2023~~ 2024 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.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 51. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

SHARED SERVICES.

(a)(1) The Chief Fiscal Officer of the State may create a Shared Services paying account on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses in the Shared Services Paying Account Appropriation by the Department of Commerce.

(2) The Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(3) The transfer authority provided to the department in subdivision (a)(2) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department.

(4) The provisions of this section shall be in effect from the date of passage through June 30, ~~2023~~ 2024.

SECTION 52. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

CARRY FORWARD - ARKANSAS ACCELERATION FUND PROGRAM. Any unexpended balance of funds for the Arkansas Acceleration Fund Program line item in the Division of Science and Technology - State Operations Section of this Act 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, ~~2023~~ 2024 the Agency shall by written statement set forth its reasons(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 the 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.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

SECTION 53. 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 54. 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 55. 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, 2023 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2023 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, 2023.

APPROVED: 4/11/23