

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1244

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

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

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF WORKFORCE
17 SERVICES APPROPRIATION FOR THE 2009-2010
18 FISCAL YEAR.
19
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Workforce Services for the 2009-2010 fiscal year, the following
26 maximum number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
35

36 Maximum Annual



1				Maximum	Salary Rate
2	Item	Class		No. of	Fiscal Year
3	No.	Code	Title	Employees	2009-2010
4	(1)	U037U	DWS DIRECTOR	1	\$133,923
5	(2)	U070U	DWS DEPUTY DIRECTOR	1	\$111,230
6	(3)	U076U	DWS WORKFORCE INVESTMENT DIRECTOR	1	\$104,078
7	(4)	U036U	AR APPEALS TRIBUNAL CHAIRMAN	1	\$100,874
8	(5)	N051N	DWS ASST DIR, EMPLOYMENT ASSIST	1	GRADE N908
9	(6)	N050N	DWS ASST DIR, FINANCIAL MANAGEMENT	1	GRADE N908
10	(7)	N049N	DWS ASST DIR, INFO AND TECHNOLOGY	1	GRADE N908
11	(8)	N074N	DWS ASST DIR, UNEMPLOYMENT INS	1	GRADE N908
12	(9)	G007N	DWS GENERAL COUNSEL	1	GRADE N908
13	(10)	G017N	DWS ASST DIR - TANF	1	GRADE N904
14	(11)	G016N	DWS ASST DIR GRANTS RESOURCE ADMIN	1	GRADE N904
15	(12)	G015N	DWS ASST DIR NEW HIRE REGISTRY	1	GRADE N904
16	(13)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE C128
17	(14)	A015C	DWS DIR INTERNAL AUDIT & SECURITY	1	GRADE C127
18	(15)	G020C	DWS PROGRAM ADMINISTRATOR	3	GRADE C127
19	(16)	A021C	AGENCY CONTROLLER I	1	GRADE C126
20	(17)	G047C	ATTORNEY SPECIALIST	2	GRADE C126
21	(18)	D017C	INFO SYSTEMS SECURITY SPECIALIST	1	GRADE C126
22	(19)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
23	(20)	A031C	ASSISTANT CONTROLLER	2	GRADE C124
24	(21)	G073C	ATTORNEY	7	GRADE C124
25	(22)	G068C	DWS AREA OPERATIONS CHIEF	6	GRADE C124
26	(23)	G072C	DWS WORKFORCE INVESTMENT PROG MGR	1	GRADE C124
27	(24)	D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	1	GRADE C124
28	(25)	D022C	SYSTEMS SPECIALIST	1	GRADE C124
29	(26)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
30	(27)	G081C	DWS DIVISION CHIEF	6	GRADE C123
31	(28)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	11	GRADE C123
32	(29)	G110C	DWS PROGRAM MANAGER	4	GRADE C121
33	(30)	G114C	DWS WORKFORCE INVEST REG ADVISOR	2	GRADE C121
34	(31)	D052C	SOFTWARE SUPPORT ANALYST	9	GRADE C121
35	(32)	G138C	AGENCY ADMIN REVIEW OFFICER	11	GRADE C120
36	(33)	R019C	BUDGET MANAGER	1	GRADE C120

1	(34)	R015C	DWS EQUAL OPPORTUNITY MANAGER	1	GRADE C120
2	(35)	G128C	DWS FIELD MANAGER II	14	GRADE C120
3	(36)	G127C	DWS PROGRAM OPERATIONS MANAGER	27	GRADE C120
4	(37)	E023C	TRAINING PROJECT MANAGER	2	GRADE C120
5	(38)	D062C	DATABASE ANALYST	1	GRADE C119
6	(39)	G149C	DWS FIELD MANAGER I	16	GRADE C119
7	(40)	D061C	INFO SYSTEMS COORDINATION SPECIALIST	1	GRADE C119
8	(41)	A066C	INTERNAL AUDITOR	3	GRADE C119
9	(42)	X062C	QUALITY ASSURANCE COORDINATOR	1	GRADE C119
10	(43)	A060C	SENIOR AUDITOR	2	GRADE C119
11	(44)	R024C	ASST PERSONNEL MANAGER	1	GRADE C118
12	(45)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
13	(46)	A075C	FINANCIAL ANALYST I	1	GRADE C118
14	(47)	A074C	FISCAL SUPPORT SUPERVISOR	6	GRADE C118
15	(48)	A073C	PROGRAM/FIELD AUDITOR SUPERVISOR	2	GRADE C118
16	(49)	A081C	AUDITOR	7	GRADE C117
17	(50)	R027C	BUDGET SPECIALIST	8	GRADE C117
18	(51)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE C117
19	(52)	G181C	DWS PROGRAM MONITOR	39	GRADE C117
20	(53)	G180C	GRANTS ANALYST	1	GRADE C117
21	(54)	D068C	INFORMATION SYSTEMS ANALYST	1	GRADE C117
22	(55)	G179C	LEGAL SERVICES SPECIALIST	1	GRADE C117
23	(56)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
24	(57)	B076C	RESEARCH PROJECT ANALYST	20	GRADE C117
25	(58)	E040C	STAFF DEVELOPMENT COORDINATOR	2	GRADE C117
26	(59)	A089C	ACCOUNTANT I	1	GRADE C116
27	(60)	V014C	BUYER	2	GRADE C116
28	(61)	G196C	DWS SATELLITE OFFICE SUPERVISOR	4	GRADE C116
29	(62)	A085C	DWS SR FIELD TAX REPRESENTATIVE	3	GRADE C116
30	(63)	A084C	PROGRAM/FIELD AUDIT SPECIALIST	6	GRADE C116
31	(64)	P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
32	(65)	E046C	TRAINING INSTRUCTOR	7	GRADE C116
33	(66)	C037C	ADMINISTRATIVE ANALYST	23	GRADE C115
34	(67)	D079C	COMPUTER SUPPORT TECHNICIAN	1	GRADE C115
35	(68)	A092C	DWS FIELD TAX REP	24	GRADE C115
36	(69)	G209C	DWS PROGRAM SUPERVISOR	51	GRADE C115

1	(70)	C032C	DWS UI CLAIM TECHNICIAN	14	GRADE C115
2	(71)	X139C	DWS UI INVESTIGATOR	10	GRADE C115
3	(72)	A091C	FISCAL SUPPORT ANALYST	19	GRADE C115
4	(73)	S033C	MAINTENANCE SUPERVISOR	1	GRADE C115
5	(74)	S032C	PRINT SHOP SUPERVISOR	1	GRADE C115
6	(75)	V015C	PURCHASING SPECIALIST	1	GRADE C115
7	(76)	S031C	SKILLED TRADESMAN	1	GRADE C115
8	(77)	G217C	DWS WORKFORCE SPECIALIST	393	GRADE C114
9	(78)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	3	GRADE C113
10	(79)	G220C	DWS UNIT SUPERVISOR	5	GRADE C113
11	(80)	R036C	HUMAN RESOURCES SPECIALIST	4	GRADE C113
12	(81)	C046C	LEGAL SUPPORT SPECIALIST	7	GRADE C113
13	(82)	S046C	MAINTENANCE TECHNICIAN	1	GRADE C113
14	(83)	C056C	ADMINISTRATIVE SPECIALIST III	16	GRADE C112
15	(84)	A098C	FISCAL SUPPORT SPECIALIST	23	GRADE C112
16	(85)	S054C	PRINTER	1	GRADE C111
17	(86)	V023C	STOREROOM SUPERVISOR	1	GRADE C111
18	(87)	X183C	DWS CLAIMS ADJUDICATOR	11	GRADE C110
19	(88)	C073C	ADMINISTRATIVE SPECIALIST II	13	GRADE C109
20	(89)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
21	(90)	C087C	ADMINISTRATIVE SPECIALIST I	30	GRADE C106
22	(91)	C088C	MAIL SERVICES ASSISTANT	2	GRADE C105
23	(92)	S087C	INSTITUTIONAL SERVICES ASSISTANT	<u>2</u>	GRADE C103
24			MAX. NO. OF EMPLOYEES	929	

25
 26 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 27 the Department of Workforce Services, to be payable from the Arkansas
 28 Employment Security Department Trust Fund, for personal services and
 29 operating expenses of the Department of Workforce Services for the fiscal
 30 year ending June 30, 2010, the following:

31			
32	ITEM		FISCAL YEAR
33	<u>NO.</u>		<u>2009-2010</u>
34	(01)	REGULAR SALARIES	\$ 33,143,539
35	(02)	EXTRA HELP	4,093,000
36	(03)	PERSONAL SERVICES MATCHING	11,200,793

1	(04) OVERTIME	60,000
2	(05) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	23,098,544
4	(B) CONF. & TRAVEL	681,493
5	(C) PROF. FEES	1,625,104
6	(D) CAP. OUTLAY	2,419,001
7	(E) DATA PROC.	<u>8,530,516</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 84,851,990</u>

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10 SECTION 3. APPROPRIATION - UNEMPLOYMENT BENEFITS AND EXPENSES - CASH.

11 There is hereby appropriated, to the Department of Workforce Services, to be
 12 payable from cash funds as defined by Arkansas Code 19-4-801 of the
 13 Department of Workforce Services, for unemployment benefit payments and other
 14 expenses including, disaster relief payments, training allowances, payments
 15 to participant contractors and Unemployment Insurance Trust Fund Loan
 16 repayments by the Department of Workforce Services - Unemployment Benefits
 17 and Expenses - Cash for the fiscal year ending June 30, 2010, the following:

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19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2009-2010</u>
21	(01) DISASTER RELIEF PAYMENTS	\$ 5,000,000
22	(02) FEDERAL EMPLOYEES BENEFIT PAYMENTS	140,000,000
23	(03) U I BENEFITS - REIMBURSABLE EMPLOYERS	25,000,000
24	(04) U I BENEFITS - TAXABLE EMPLOYERS	500,000,000
25	(05) TRAINING ALLOWANCES	5,000,000
26	(06) PAYMENTS TO PARTICIPANT CONTRACTORS	10,000,000
27	(07) U I LOAN REPAYMENT	<u>1</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 685,000,001</u>

29

30 SECTION 4. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby
 31 appropriated, to the Department of Workforce Services, to be payable from the
 32 Employment Security Special Fund, for payment of the annual assessment to
 33 maintain voting member rights in the National Association of Workforce
 34 Agencies by the Department of Workforce Services for the fiscal year ending
 35 June 30, 2010, the following:

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) ANNUAL ASSESSMENT	<u>\$ 26,000</u>

SECTION 5. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.
 There is hereby appropriated, to the Department of Workforce Services, to be payable from the Employment Security Special Fund, for payment of unemployment benefits and expenses incurred in the administration of the Employment Security Law when such expenses exceed funds available from other sources by the Department of Workforce Services for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) PAYMENT/EXPENSES	<u>\$ 10,878,035</u>

SECTION 6. APPROPRIATION - WORKFORCE INVESTMENT ACT. There is hereby appropriated, to the Department of Workforce Services, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for grant payments of the Workforce Investment Act by the Department of Workforce Services for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) WORKFORCE INVESTMENT ACT PAYMENTS	<u>\$ 70,000,000</u>

SECTION 7. APPROPRIATION - U I TRUST FUND INTEREST/UNEMPLOYMENT INSURANCE.
 There is hereby appropriated, to the Department of Workforce Services, to be payable from the Employment Security Advance Interest Trust Fund, for paying interest incurred by the state on advances from the Federal Unemployment Trust Fund, making refunds of advance interest taxes or interest and penalty payments which were erroneously paid, and returning moneys to the Unemployment Compensation Fund Clearing Account which were incorrectly identified and erroneously transferred, if needed, by the Department of Workforce Services for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) U I TRUST FUND INTEREST	\$ 3,000,000
(02) LOAN INTEREST	<u>1</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,000,001</u>

SECTION 8. APPROPRIATION - REED ACT FUNDS. There is hereby appropriated, to the Department of Workforce Services, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Workforce Services, for construction, improvement of buildings, rent and lease costs, acquisition of data processing equipment, acquisition of land, payment of salaries and related benefits, maintenance and general operation and for the payment of unemployment insurance benefits, or as prescribed by the Social Security Act of the Department of Workforce Services for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REED ACT FUNDS	<u>\$ 38,500,000</u>

SECTION 9. APPROPRIATION - ADMINISTRATION BUILDING UPKEEP. There is hereby appropriated, to the Department of Workforce Services, to be payable from the Employment Security Special Fund, for maintenance, repairs, equipment, furnishings, upkeep of the Administration Building and all other agency owned buildings, and maintenance of adjacent parking areas of the Department of Workforce Services for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) ADMINISTRATION BUILDING UPKEEP	<u>\$ 227,500</u>

SECTION 10. APPROPRIATION - BUILDING AND LAND ACQUISITION. There is hereby appropriated, to the Department of Workforce Services, to be payable from the Employment Security Special Fund, for acquisition of buildings, acquisition of land, construction of buildings, and modification of existing buildings outside of the Pulaski County area by the Department of Workforce Services

1 for the fiscal year ending June 30, 2010, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2009-2010</u>
5 (01) BUILDING AND LAND ACQUISITION	<u>\$ 150,000</u>

6

7 SECTION 11. APPROPRIATION - RENT OF BUILDINGS. There is hereby
8 appropriated, to the Department of Workforce Services, to be payable from the
9 Employment Security Special Fund, for rent of buildings by the Department of
10 Workforce Services for the fiscal year ending June 30, 2010, the following:

11

12 ITEM	FISCAL YEAR
13 <u>NO.</u>	<u>2009-2010</u>
14 (01) RENT OF BUILDINGS	<u>\$ 48,354</u>

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16 SECTION 12. APPROPRIATION - SPECIAL IMPROVEMENT DISTRICT TAXES. There is
17 hereby appropriated, to the Department of Workforce Services, to be payable
18 from the Employment Security Special Fund, for payment of special improvement
19 district taxes by the Department of Workforce Services for the fiscal year
20 ending June 30, 2010, the following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2009-2010</u>
24 (01) SPECIAL IMPROVEMENT DISTRICT TAXES	<u>\$ 500</u>

25

26 SECTION 13. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)
27 BLOCK GRANT PAYING. There is hereby appropriated, to the Department of
28 Workforce Services, to be payable from the paying account as determined by
29 the Chief Fiscal Officer of the State, for grant payments of the Department
30 of Workforce Services - Temporary Assistance for Needy Families (TANF) Block
31 Grant Paying for the fiscal year ending June 30, 2010, the following:

32

33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2009-2010</u>
35 (01) ARKANSAS TRANSITIONAL EMPLOYMENT 36 PROGRAM OPERATION	<u>\$ 100,000,000</u>

SECTION 14. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM. There is hereby appropriated, to the Department of Workforce Services, to be payable from the Individual Development Account Trust Fund, for operating expenses of the Department of Workforce Services - Individual Development Account Program for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 0
(B) CONF. & TRAVEL	0
(C) PROF. FEES	1,700,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,700,000</u>

SECTION 15. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES TRAINING TRUST FUND. There is hereby appropriated, to the Department of Workforce Services, to be payable from the Department of Workforce Services Training Trust Fund, for personal services, operating expenses, and grants for the Worker Training Program of the Department of Workforce Services Training Trust Fund for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) PERSONAL SERVICES, OPERATING EXPENSES AND GRANTS	<u>\$ 5,000,000</u>

SECTION 16. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES UNEMPLOYMENT INSURANCE FUND. There is hereby appropriated, to the Department of Workforce Services, to be payable from the Department of Workforce Services Unemployment Insurance Administration Fund, for operating expenses of the Unemployment Insurance Program of the Department of Workforce Services Unemployment Insurance Fund for the fiscal year ending June 30, 2010, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) OPERATING EXPENSES	<u>\$ 5,000,000</u>

SECTION 17. APPROPRIATION - WORKFORCE INVESTMENT ACT OPERATIONS. There is hereby appropriated, to the Department of Workforce Services, 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 Workforce Services - Workforce Investment Act Operations for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REGULAR SALARIES	\$ 598,131
(02) PERSONAL SERVICES MATCHING	207,937
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	222,394
(B) CONF. & TRAVEL	24,092
(C) PROF. FEES	30,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,082,554</u>

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RESTRICTIONS ON FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT INITIATIVE. Funds appropriated for Community Investment Funds from the Temporary Assistance for Needy Families (TANF) Block Grant for the fiscal years ~~2007-~~ 2008-2009-2010 and ~~2008-2009-~~ 2010-2011 (combined) shall be subject to these restrictions in their use for the specified statutory purposes:

- (1) improving outcomes for youth (at least \$1,000,000),
- (2) parenting and family functioning (at least \$500,000),
- (3) marriage and relationship skills (\$500,000),
- (4) fatherhood programs (at least \$500,000),
- (5) family and employment services for ex-offenders (at least

1 \$500,000), and
2 (6) services to child-only TEA cases (at least \$500,000)

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4 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

6 SUSPENSION OR REDUCTION OF FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT
7 INITIATIVE. Spending for the Community Investment Initiative can be
8 suspended or reduced if the Director of the Department of Workforce Services
9 and the Transitional Employment Board certify that

10 a) Funding from the Temporary Assistance for Needy Families block grant is
11 needed to support a critical economic development initiative,

12 b) Other funds from the Temporary Assistance for Needy Families block
13 grant are not available beyond those needed for the operation of the TEA,
14 Work Pays and High Wage Education and Training Programs and for an adequate
15 reserve for possible increases in cash assistance during the current fiscal
16 year, and

17 c) Spending for the economic development initiative is allowable within
18 the federal rules governing the Temporary Assistance for Needy Families Block
19 Grant.

20 Certification of these conditions shall be made to the Governor and the
21 Chief Fiscal Officer of the State and notification shall be made to the
22 Legislative Council and the Senate and House Public Health and Welfare
23 Committees.

24 If spending on the Community Investment Initiative is reduced, these
25 reductions shall be assessed proportionately to the funds designated by the
26 TEA Board for each of the six statutory purposes of the Community Investment
27 Initiative.

28 The provisions of this section shall be in effect only from July 1, ~~2007~~
29 2009 through June 30, ~~2009~~ 2010.

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31 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
33 FORWARD - NEW HIRE REGISTRY. Any balance in the ~~appropriation and~~ funds made
34 available by this Act for the New Hire Registry which remain on June 30, ~~2008~~
35 2010, may be carried forward into the next fiscal year, to be used for the
36 same purpose.

1 Any carry forward of unexpended balance of ~~appropriation and/or~~ funding as
 2 authorized herein, may be carried forward under the following conditions:

3 (1) Prior to June 30, ~~2008~~ 2010 the Agency shall by written statement set
 4 forth its reason(s) for the need to carry forward said ~~appropriation and/or~~
 5 funding to the Department of Finance and Administration Office of Budget;

6 (2) The Department of Finance and Administration Office of Budget shall
 7 report to the Arkansas Legislative Council all amounts carried forward ~~from~~
 8 ~~the first fiscal year of the biennium to the second fiscal year of the~~
 9 ~~biennium~~ by the September Arkansas Legislative Council or Joint Budget
 10 Committee meeting ~~in the second fiscal year of the biennial period~~ which
 11 report shall include the name of the Agency, Board, Commission or Institution
 12 and the amount of the ~~appropriation and/or~~ funding carried forward ~~from the~~
 13 ~~first fiscal year to the second fiscal year~~, the program name or line item,
 14 the funding source of that appropriation and a copy of the written request
 15 set forth in (1) above;

16 (3) Each Agency, Board, Commission or Institution shall provide a written
 17 report to the Arkansas Legislative Council or Joint Budget Committee
 18 containing all information set forth in item (2) above, along with a written
 19 statement as to the current status of the project, contract, purpose etc. for
 20 which the carry forward was originally requested no later than thirty (30)
 21 days prior to the time the Agency, Board, Commission or Institution presents
 22 its budget request to the Arkansas Legislative Council/Joint Budget
 23 Committee; and

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

28
 29 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 31 HELP. There is hereby authorized, for the Department of Workforce Services
 32 for the ~~2007-2009 biennium~~ 2009-2010 fiscal year, the following maximum
 33 number of part-time or temporary employees, to be known as "Extra Help",
 34 payable from funds appropriated herein for such purposes: four hundred (400)
 35 temporary or part-time employees, when needed, at rates of pay not to exceed
 36 those provided in the Uniform Classification and Compensation Act, or its

1 successor, for the appropriate classification. Any of these positions
 2 utilized in a manner which are funded by federal sources are specifically
 3 exempt from limitation of hours, either by Act or Regulation.

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

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 7 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. "REED ACT
 9 FUNDS". Funds received by the State may be used as specified in 903 of the
 10 Social Security Act, for the purpose of construction and improvement of
 11 buildings, rent/lease costs, acquisition of land, the payment of salaries and
 12 related benefits of central and local office staff, maintenance and operation
 13 of central and local offices, payment of unemployment insurance benefits, or
 14 as otherwise prescribed in Section 903 of the Social Security Act, as
 15 amended.

16 The amount obligated pursuant to this Act shall not exceed the amount by
 17 which (a) the aggregate of the amounts transferred to the account of this
 18 State pursuant to Section 903 of the Social Security Act exceeds (b) the
 19 aggregate of the amounts used by this State and charged against the amounts
 20 transferred to the account of this State.

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

23
 24 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 26 ADDITIONAL POSITIONS. The Director of the Department of Workforce Services,
 27 after receiving the approval of the Office of Personnel Management, and after
 28 seeking the prior review by the Arkansas Legislative Council, shall have the
 29 authority to establish such new or additional full time positions as may
 30 become necessary to carry out the objectives of the program and/or to meet
 31 Federal requirements of new and/or expanded programs where such needs are
 32 financed by federal funds; provided that not more than two hundred persons
 33 may be employed in addition to those authorized in the salary schedule and
 34 that the rate of pay shall not exceed those set out in the salary schedule
 35 for comparable positions as authorized under the provisions of Section 1 of
 36 this Act.

1 If the agency requests continuation of a "Growth Pool" position(s) as
2 established herein ~~during the next biennium~~, the position(s) must be
3 requested as a new position(s) in the agencies ~~biennial~~ budget request.

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

6
7 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
9 OF APPROPRIATION. Subject to such rules and regulations as may be
10 implemented by the Chief Fiscal Officer of the State and after having sought
11 the prior approval by the Arkansas Legislative Council or Joint Budget
12 Committee, the Director of the Department of Workforce Services is hereby
13 authorized to make transfers from any appropriation made by this Act to any
14 other appropriation made by this Act with the exception of the "Reed Act
15 Funds" appropriations set forth in Section 8 of this Act, and of the
16 appropriation made for Regular Salaries or Maintenance and General Operation.
17 Such transfers may be made whenever it appears, by projecting the
18 expenditures of any of the appropriations in this Act, that there will be a
19 deficiency of appropriation in one item and that there will be a
20 corresponding excess of appropriation in another item or items which may be
21 transferred. The transfer of appropriation shall be effected only on
22 approval of the Chief Fiscal Officer of the State. Provided, however, that no
23 transfer of appropriations may be authorized to increase the total amount
24 appropriated for Regular Salaries, or Maintenance and General Operations,
25 except as may be authorized elsewhere by law.

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

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

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

8
 9 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-
 11 AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR
 12 NEEDEY FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the
 13 Department of ~~Health and~~ Human Services and the Director of the Department of
 14 Workforce Services (DWS), the Chief Fiscal Officer of the State may approve
 15 up to three million six hundred forty thousand six hundred fifty dollars
 16 (\$3,640,650) each fiscal year in State General Revenue appropriated to DWS
 17 for the TANF program to be transferred to the Department of ~~Health and~~ Human
 18 Services ~~(DHS)~~ (DHS) - Division of County Operations in support of Arkansas'
 19 Temporary Assistance for Needy Families (TANF) Programs or any related
 20 separate state programs.

21 The Director of the Department of Workforce Services shall provide a
 22 report of all transfers made to the ~~DHHS~~ DHS-Division of County Operations to
 23 the Performance Evaluation and Expenditure Review Committee of the Arkansas
 24 Legislative Council and Joint Budget Committee. The report must include the
 25 justification for and the amount of the completed transfers.

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

28
 29 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 31 OF TANF BLOCK GRANT FUNDS. ~~For each~~ Each fiscal year ~~of the 2007-2009~~
 32 ~~biennium~~, the Department of Workforce Services shall transfer the sum of
 33 seven million five hundred thousand dollars (\$7,500,000) from the state's
 34 federal Temporary Assistance for Needy Families block grant to ~~the Child Care~~
 35 ~~Development Fund to be administered by the Division of Child Care and Early~~
 36 ~~Childhood Education, Department of Health and Human Services. The funds shall~~

1 ~~be used to provide quality child care and preschool education for~~
 2 ~~transitional employment assistance qualifying families and other low income~~
 3 ~~families for at risk three and four year olds under the Arkansas Better~~
 4 ~~Chance for School Success programs. These funds shall be transferred from the~~
 5 ~~Division of Child Care and Early Childhood Education to the Department of~~
 6 ~~Education, Public School Fund to be used solely for the purpose stated above~~
 7 Arkansas Better Chance Program.

8 If the state match for the Temporary Assistance for Needy Families grant
 9 or the state's Temporary Assistance for Needy Families grant is reduced, the
 10 amount to be transferred may be adjusted in proportion to the percentage
 11 change in the state match or the state's Temporary Assistance for Needy
 12 Families grant. The amount to be transferred may also be reduced
 13 proportionately if new cost requirements are imposed upon the state as a
 14 result of new or revised Temporary Assistance for Needy Families regulations
 15 at the federal level.

16 The provisions of this section shall be in effect only from July 1, ~~2007~~
 17 2009 through June 30, ~~2009~~ 2010.

18
 19 SECTION 27. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 20 by this act shall be limited to the appropriation for such agency and funds
 21 made available by law for the support of such appropriations; and the
 22 restrictions of the State Procurement Law, the General Accounting and
 23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 24 Procedures and Restrictions Act, or their successors, and other fiscal
 25 control laws of this State, where applicable, and regulations promulgated by
 26 the Department of Finance and Administration, as authorized by law, shall be
 27 strictly complied with in disbursement of said funds.

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

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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, 2009 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 Regular Session, the delay in the effective date of this Act beyond July 1, 2009 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, 2009.