

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: H2/24/11  
**A Bill**

HOUSE BILL 1122

5 By: Joint Budget Committee  
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
9 SERVICES AND OPERATING EXPENSES FOR THE  
10 DEPARTMENT OF WORKFORCE SERVICES FOR THE FISCAL  
11 YEAR ENDING JUNE 30, 2012; AND FOR OTHER  
12 PURPOSES.  
13

14 **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF WORKFORCE  
16 SERVICES APPROPRIATION FOR THE 2011-2012  
17 FISCAL YEAR.  
18

19  
20  
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the  
24 Department of Workforce Services for the 2011-2012 fiscal year, the following  
25 maximum number of regular employees.  
26

| Item No. | Class Code | Title                             | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2011-2012 |
|----------|------------|-----------------------------------|--------------------------|--|
| 31       | (1) U037U  | DWS DIRECTOR                      | 1                        | \$139,551  |
| 32       | (2) U070U  | DWS DEPUTY DIRECTOR               | 1                        | \$115,904  |
| 33       | (3) U076U  | DWS WORKFORCE INVESTMENT DIRECTOR | 1                        | \$108,451  |
| 34       | (4) U036U  | AR APPEALS TRIBUNAL CHAIRMAN      | 1                        | \$105,113  |
| 35       | (5) G015N  | DWS ASSISTANT DIRECTOR            | 1                        | GRADE N908                                       |
| 36       | (6) N051N  | DWS ASST DIR, EMPLOYMENT ASSIST   | 1                        | GRADE N908                                       |



|    |      |       |                                     |    |            |
|----|------|-------|-------------------------------------|----|------------|
| 1  | (7)  | N050N | DWS ASST DIR, FINANCIAL MANAGEMENT  | 1  | GRADE N908 |
| 2  | (8)  | N049N | DWS ASST DIR, INFO AND TECHNOLOGY   | 1  | GRADE N908 |
| 3  | (9)  | N074N | DWS ASST DIR, UNEMPLOYMENT INS      | 1  | GRADE N908 |
| 4  | (10) | G007N | DWS GENERAL COUNSEL                 | 1  | GRADE N908 |
| 5  | (11) | G017N | DWS ASST DIR - TANF                 | 1  | GRADE N904 |
| 6  | (12) | G016N | DWS ASST DIR GRANTS RESOURCE ADMIN  | 1  | GRADE N904 |
| 7  | (13) | D007C | INFORMATION SYSTEMS MANAGER         | 2  | GRADE C128 |
| 8  | (14) | A015C | DWS DIR INTERNAL AUDIT & SECURITY   | 1  | GRADE C127 |
| 9  | (15) | G020C | DWS PROGRAM ADMINISTRATOR           | 3  | GRADE C127 |
| 10 | (16) | A021C | AGENCY CONTROLLER I                 | 1  | GRADE C126 |
| 11 | (17) | G047C | ATTORNEY SPECIALIST                 | 2  | GRADE C126 |
| 12 | (18) | D017C | INFORMATION SYSTEMS SECURITY SPECIA | 1  | GRADE C126 |
| 13 | (19) | G076C | ADMINISTRATIVE SERVICES MANAGER     | 1  | GRADE C124 |
| 14 | (20) | A031C | ASSISTANT CONTROLLER                | 3  | GRADE C124 |
| 15 | (21) | G073C | ATTORNEY                            | 7  | GRADE C124 |
| 16 | (22) | G068C | DWS AREA OPERATIONS CHIEF           | 8  | GRADE C124 |
| 17 | (23) | D022C | SYSTEMS SPECIALIST                  | 2  | GRADE C124 |
| 18 | (24) | R013C | AGENCY HUMAN RESOURCES MANAGER      | 1  | GRADE C123 |
| 19 | (25) | G081C | DWS DIVISION CHIEF                  | 6  | GRADE C123 |
| 20 | (26) | D038C | SENIOR SOFTWARE SUPPORT ANALYST     | 16 | GRADE C123 |
| 21 | (27) | G110C | DWS PROGRAM MANAGER                 | 6  | GRADE C121 |
| 22 | (28) | G114C | DWS WORKFORCE INVEST REG ADVISOR    | 2  | GRADE C121 |
| 23 | (29) | D052C | SOFTWARE SUPPORT ANALYST            | 6  | GRADE C121 |
| 24 | (30) | G138C | AGENCY ADMINISTRATIVE REVIEW OFFICE | 12 | GRADE C120 |
| 25 | (31) | R019C | BUDGET MANAGER                      | 1  | GRADE C120 |
| 26 | (32) | R015C | DWS EQUAL OPPORTUNITY MANAGER       | 1  | GRADE C120 |
| 27 | (33) | G128C | DWS FIELD MANAGER II                | 16 | GRADE C120 |
| 28 | (34) | G127C | DWS PROGRAM OPERATIONS MANAGER      | 29 | GRADE C120 |
| 29 | (35) | E023C | TRAINING PROJECT MANAGER            | 2  | GRADE C120 |
| 30 | (36) | D062C | DATABASE ANALYST                    | 1  | GRADE C119 |
| 31 | (37) | G149C | DWS FIELD MANAGER I                 | 18 | GRADE C119 |
| 32 | (38) | D061C | INFORMATION SYSTEMS COORDINATION SP | 2  | GRADE C119 |
| 33 | (39) | A066C | INTERNAL AUDITOR                    | 4  | GRADE C119 |
| 34 | (40) | A065C | PAYROLL SERVICES COORDINATOR        | 1  | GRADE C119 |
| 35 | (41) | V007C | PROCUREMENT COORDINATOR             | 1  | GRADE C119 |
| 36 | (42) | X062C | QUALITY ASSURANCE COORDINATOR       | 1  | GRADE C119 |

|    |      |       |                                     |     |            |
|----|------|-------|-------------------------------------|-----|------------|
| 1  | (43) | A060C | SENIOR AUDITOR                      | 2   | GRADE C119 |
| 2  | (44) | R024C | ASSISTANT PERSONNEL MANAGER         | 1   | GRADE C118 |
| 3  | (45) | C010C | EXECUTIVE ASSISTANT TO THE DIRECTOR | 1   | GRADE C118 |
| 4  | (46) | A075C | FINANCIAL ANALYST I                 | 2   | GRADE C118 |
| 5  | (47) | A074C | FISCAL SUPPORT SUPERVISOR           | 6   | GRADE C118 |
| 6  | (48) | A073C | PROGRAM/FIELD AUDITOR SUPERVISOR    | 2   | GRADE C118 |
| 7  | (49) | A081C | AUDITOR                             | 7   | GRADE C117 |
| 8  | (50) | R027C | BUDGET SPECIALIST                   | 9   | GRADE C117 |
| 9  | (51) | G181C | DWS PROGRAM MONITOR                 | 51  | GRADE C117 |
| 10 | (52) | R025C | HUMAN RESOURCES ANALYST             | 2   | GRADE C117 |
| 11 | (53) | D068C | INFORMATION SYSTEMS ANALYST         | 1   | GRADE C117 |
| 12 | (54) | G179C | LEGAL SERVICES SPECIALIST           | 2   | GRADE C117 |
| 13 | (55) | S017C | MAINTENANCE COORDINATOR             | 1   | GRADE C117 |
| 14 | (56) | B076C | RESEARCH PROJECT ANALYST            | 16  | GRADE C117 |
| 15 | (57) | E040C | STAFF DEVELOPMENT COORDINATOR       | 1   | GRADE C117 |
| 16 | (58) | A089C | ACCOUNTANT I                        | 3   | GRADE C116 |
| 17 | (59) | V014C | BUYER                               | 3   | GRADE C116 |
| 18 | (60) | G196C | DWS SATELLITE OFFICE SUPERVISOR     | 9   | GRADE C116 |
| 19 | (61) | A085C | DWS SR FIELD TAX REPRESENTATIVE     | 3   | GRADE C116 |
| 20 | (62) | A084C | PROGRAM/FIELD AUDIT SPECIALIST      | 7   | GRADE C116 |
| 21 | (63) | P027C | PUBLIC INFORMATION SPECIALIST       | 1   | GRADE C116 |
| 22 | (64) | E046C | TRAINING INSTRUCTOR                 | 21  | GRADE C116 |
| 23 | (65) | C037C | ADMINISTRATIVE ANALYST              | 24  | GRADE C115 |
| 24 | (66) | D079C | COMPUTER SUPPORT TECHNICIAN         | 1   | GRADE C115 |
| 25 | (67) | A092C | DWS FIELD TAX REP                   | 19  | GRADE C115 |
| 26 | (68) | G209C | DWS PROGRAM SUPERVISOR              | 43  | GRADE C115 |
| 27 | (69) | C032C | DWS UI CLAIM TECHNICIAN             | 20  | GRADE C115 |
| 28 | (70) | X139C | DWS UI INVESTIGATOR                 | 12  | GRADE C115 |
| 29 | (71) | A091C | FISCAL SUPPORT ANALYST              | 20  | GRADE C115 |
| 30 | (72) | S033C | MAINTENANCE SUPERVISOR              | 2   | GRADE C115 |
| 31 | (73) | S032C | PRINT SHOP SUPERVISOR               | 1   | GRADE C115 |
| 32 | (74) | V015C | PURCHASING SPECIALIST               | 1   | GRADE C115 |
| 33 | (75) | S031C | SKILLED TRADESMAN                   | 1   | GRADE C115 |
| 34 | (76) | G217C | DWS WORKFORCE SPECIALIST            | 399 | GRADE C114 |
| 35 | (77) | C050C | ADMINISTRATIVE SUPPORT SUPERVISOR   | 4   | GRADE C113 |
| 36 | (78) | G220C | DWS UNIT SUPERVISOR                 | 5   | GRADE C113 |

|    |      |       |                                  |          |            |
|----|------|-------|----------------------------------|----------|------------|
| 1  | (79) | R036C | HUMAN RESOURCES SPECIALIST       | 6        | GRADE C113 |
| 2  | (80) | C046C | LEGAL SUPPORT SPECIALIST         | 10       | GRADE C113 |
| 3  | (81) | S046C | MAINTENANCE TECHNICIAN           | 1        | GRADE C113 |
| 4  | (82) | C056C | ADMINISTRATIVE SPECIALIST III    | 16       | GRADE C112 |
| 5  | (83) | A098C | FISCAL SUPPORT SPECIALIST        | 24       | GRADE C112 |
| 6  | (84) | V022C | PURCHASING TECHNICIAN            | 1        | GRADE C112 |
| 7  | (85) | S054C | PRINTER                          | 1        | GRADE C111 |
| 8  | (86) | V023C | STOREROOM SUPERVISOR             | 1        | GRADE C111 |
| 9  | (87) | X183C | DWS CLAIMS ADJUDICATOR           | 8        | GRADE C110 |
| 10 | (88) | C073C | ADMINISTRATIVE SPECIALIST II     | 11       | GRADE C109 |
| 11 | (89) | C087C | ADMINISTRATIVE SPECIALIST I      | 26       | GRADE C106 |
| 12 | (90) | S081C | APPRENTICE TRADESMAN             | 1        | GRADE C105 |
| 13 | (91) | S087C | INSTITUTIONAL SERVICES ASSISTANT | <u>1</u> | GRADE C103 |
| 14 |      |       | MAX. NO. OF EMPLOYEES            | 979      |            |

15

16 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 17 to the Department of Workforce Services, to be payable from the Department of  
 18 Workforce Services Trust Fund, for personal services and operating expenses  
 19 of the Department of Workforce Services for the fiscal year ending June 30,  
 20 2012, the following:

21

| 22 | ITEM                            | FISCAL YEAR         |
|----|---------------------------------|---------------------|
| 23 | <u>NO.</u>                      | <u>2011-2012</u>    |
| 24 | (01) REGULAR SALARIES           | \$37,020,266        |
| 25 | (02) EXTRA HELP                 | 4,093,000           |
| 26 | (03) PERSONAL SERVICES MATCHING | 12,640,090          |
| 27 | (04) OVERTIME                   | 60,000              |
| 28 | (05) MAINT. & GEN. OPERATION    |                     |
| 29 | (A) OPER. EXPENSE               | 23,721,905          |
| 30 | (B) CONF. & TRAVEL              | 705,585             |
| 31 | (C) PROF. FEES                  | 1,784,653           |
| 32 | (D) CAP. OUTLAY                 | 2,419,001           |
| 33 | (E) DATA PROC.                  | 0                   |
| 34 | (06) AMERICAN RECOVERY AND      |                     |
| 35 | REINVESTMENT ACT OF 2009        | <u>3,431,245</u>    |
| 36 | TOTAL AMOUNT APPROPRIATED       | <u>\$85,875,745</u> |

1 SECTION 3. APPROPRIATION - UNEMPLOYMENT BENEFITS AND EXPENSES - CASH.  
 2 There is hereby appropriated, to the Department of Workforce Services, to be  
 3 payable from cash funds as defined by Arkansas Code 19-4-801 of the  
 4 Department of Workforce Services, for unemployment benefit payments and other  
 5 expenses including, disaster relief payments, training allowances, payments  
 6 to participant contractors and Unemployment Insurance Trust Fund loan  
 7 repayments by the Department of Workforce Services - Unemployment Benefits  
 8 and Expenses - Cash for the fiscal year ending June 30, 2012, the following:

| 10 | ITEM                                       | FISCAL YEAR          |
|----|--|----------------------|
| 11 | <u>NO.</u>                                 | <u>2011-2012</u>     |
| 12 | (01) DISASTER RELIEF PAYMENTS              | \$5,000,000          |
| 13 | (02) FEDERAL EMPLOYEES BENEFIT PAYMENTS    | 225,000,000          |
| 14 | (03) U I BENEFITS - REIMBURSABLE EMPLOYERS | 25,000,000           |
| 15 | (04) U I BENEFITS - TAXABLE EMPLOYERS      | 600,000,000          |
| 16 | (05) TRAINING ALLOWANCES                   | 12,500,000           |
| 17 | (06) PAYMENTS TO PART CONTRACTORS          | 13,750,000           |
| 18 | (07) UI ADVANCE REPAYMENT                  | <u>100,000,000</u>   |
| 19 | TOTAL AMOUNT APPROPRIATED                  | <u>\$981,250,000</u> |

21 SECTION 4. APPROPRIATION - AMERICAN RECOVERY AND REINVESTMENT ACT OF  
 22 2009. There is hereby appropriated, to the Department of Workforce Services,  
 23 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the  
 24 Department of Workforce Services, for costs and expenses of the American  
 25 Recovery and Reinvestment Act of 2009 including, increased benefit payments  
 26 and extension of benefit payments by the Department of Workforce Services for  
 27 the fiscal year ending June 30, 2013, the following:

| 29 | ITEM                       | FISCAL YEAR          |
|----|----------------------------|----------------------|
| 30 | <u>NO.</u>                 | <u>2011-2012</u>     |
| 31 | (01) AMERICAN RECOVERY AND |                      |
| 32 | REINVESTMENT ACT OF 2009   | <u>\$200,000,000</u> |

34 SECTION 5. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby  
 35 appropriated, to the Department of Workforce Services, to be payable from the  
 36 Department of Workforce Services Special Fund, for payment of the annual

1 assessment to maintain voting member rights in the National Association of  
2 Workforce Agencies by the Department of Workforce Services for the fiscal  
3 year ending June 30, 2012, the following:

| ITEM                   | FISCAL YEAR      |
|------------------------|------------------|
| <u>NO.</u>             | <u>2011-2012</u> |
| (01) ANNUAL ASSESSMENT | <u>\$26,000</u>  |

8  
9 SECTION 6. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES,  
10 CONSTRUCTION AND RENT OF BUILDINGS. There is hereby appropriated, to the  
11 Department of Workforce Services, to be payable from the Department of  
12 Workforce Services Special Fund, for construction, maintenance and general  
13 operating expenses for the Administration Building and all other agency owned  
14 buildings, building and land acquisition, rent of buildings, and payment of  
15 unemployment benefits and expenses incurred in the administration of the  
16 Employment Security Law when such expenses exceed funds available from other  
17 sources by the Department of Workforce Services for the fiscal year ending  
18 June 30, 2012, the following:

| ITEM                      | FISCAL YEAR         |
|---------------------------|---------------------|
| <u>NO.</u>                | <u>2011-2012</u>    |
| (01) CONSTRUCTION         | \$377,500           |
| (02) RENT OF BUILDINGS    | 48,354              |
| (03) PAYMENT/EXPENSES     | <u>10,878,535</u>   |
| TOTAL AMOUNT APPROPRIATED | <u>\$11,304,389</u> |

26  
27 SECTION 7. APPROPRIATION - WORKFORCE INVESTMENT ACT. There is hereby  
28 appropriated, to the Department of Workforce Services, to be payable from the  
29 federal funds as designated by the Chief Fiscal Officer of the State, for  
30 grant payments of the Workforce Investment Act by the Department of Workforce  
31 Services for the fiscal year ending June 30, 2012, the following:

| ITEM                                   | FISCAL YEAR      |
|--|------------------|
| <u>NO.</u>                             | <u>2011-2012</u> |
| (01) WORKFORCE INVESTMENT ACT PAYMENTS | \$60,000,000     |
| (02) AMERICAN RECOVERY AND             |                  |

|   |                           |                            |
|---|---------------------------|----------------------------|
| 1 | REINVESTMENT ACT OF 2009  | <u>3,500,000</u>           |
| 2 | TOTAL AMOUNT APPROPRIATED | <u><u>\$63,500,000</u></u> |

3

## 4 SECTION 8. APPROPRIATION - U I TRUST FUND INTEREST/UNEMPLOYMENT

5 INSURANCE. There is hereby appropriated, to the Department of Workforce  
6 Services, to be payable from the Employment Security Advance Interest Trust  
7 Fund, for paying interest incurred by the state on advances from the Federal  
8 Unemployment Trust Fund, making refunds of advance interest taxes or interest  
9 and penalty payments which were erroneously paid, and returning moneys to the  
10 Unemployment Compensation Fund Clearing Account which were incorrectly  
11 identified and erroneously transferred, if needed, by the Department of  
12 Workforce Services for the fiscal year ending June 30, 2012, the following:

13

| 14 | ITEM                         | FISCAL YEAR                |
|----|------------------------------|----------------------------|
| 15 | <u>NO.</u>                   | <u>2011-2012</u>           |
| 16 | (01) U I TRUST FUND INTEREST | \$3,000,000                |
| 17 | (02) LOAN INTEREST           | <u>25,000,000</u>          |
| 18 | TOTAL AMOUNT APPROPRIATED    | <u><u>\$28,000,000</u></u> |

19

## 20 SECTION 9. APPROPRIATION - REED ACT FUNDS. There is hereby

21 appropriated, to the Department of Workforce Services, to be payable from  
22 cash funds as defined by Arkansas Code 19-4-801 of the Department of  
23 Workforce Services, for construction, improvement of buildings, rent and  
24 lease costs, acquisition of data processing equipment, acquisition of land,  
25 payment of salaries and related benefits, maintenance and general operation  
26 and for the payment of unemployment insurance benefits, or as prescribed by  
27 the Social Security Act by the Department of Workforce Services for the  
28 fiscal year ending June 30, 2012, the following:

29

| 30 | ITEM                | FISCAL YEAR                |
|----|---------------------|----------------------------|
| 31 | <u>NO.</u>          | <u>2011-2012</u>           |
| 32 | (01) REED ACT FUNDS | <u><u>\$38,500,000</u></u> |

33

## 34 SECTION 10. APPROPRIATION - UI MODERNIZATION - AMERICAN RECOVERY AND

35 REINVESTMENT ACT (ARRA). There is hereby appropriated, to the Department of  
36 Workforce Services, to be payable from cash funds as defined by Arkansas Code

1 19-4-801 of the Department of Workforce Services, for payment of salaries and  
 2 related benefits, and maintenance and general operations as prescribed by the  
 3 Social Security Act of 1935, as amended and the ARRA-Stimulus Act of 2009,  
 4 the same being P.L. 111-5 by the Department of Workforce Services for the  
 5 fiscal year ending June 30, 2012, the following:

6

| 7 ITEM                       | FISCAL YEAR        |
|------------------------------|--------------------|
| 8 <u>NO.</u>                 | <u>2011-2012</u>   |
| 9 (01) AMERICAN RECOVERY AND |                    |
| 10 REINVESTMENT ACT OF 2009  | <u>\$9,595,093</u> |

11

12 SECTION 11. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES  
 13 (TANF) BLOCK GRANT PAYING AND NEW HIRE REGISTRY. There is hereby  
 14 appropriated, to the Department of Workforce Services, to be payable from the  
 15 paying account as determined by the Chief Fiscal Officer of the State, for  
 16 personal services, maintenance and general operations, and grant payments of  
 17 the Department of Workforce Services - Temporary Assistance for Needy  
 18 Families (TANF) Block Grant Paying and the New Hire Registry for the fiscal  
 19 year ending June 30, 2012, the following:

20

| 21 ITEM                                  | FISCAL YEAR         |
|--|---------------------|
| 22 <u>NO.</u>                            | <u>2011-2012</u>    |
| 23 (01) ARKANSAS TRANSITIONAL EMPLOYMENT |                     |
| 24 PROGRAM & NEW HIRE REGISTRY -         |                     |
| 25 PERSONAL SERVICES, MAINT. &           |                     |
| 26 GEN. OPERATIONS, & GRANT PAYMENTS     | <u>\$64,501,053</u> |

27

28 SECTION 12. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM.  
 29 There is hereby appropriated, to the Department of Workforce Services, to be  
 30 payable from the Individual Development Account Trust Fund, for operating  
 31 expenses of the Department of Workforce Services - Individual Development  
 32 Account Program for the fiscal year ending June 30, 2012, the following:

33

| 34 ITEM                         | FISCAL YEAR      |
|---------------------------------|------------------|
| 35 <u>NO.</u>                   | <u>2011-2012</u> |
| 36 (01) MAINT. & GEN. OPERATION |                  |



|   |                           |                           |
|---|---------------------------|---------------------------|
| 1 | (A) OPER. EXPENSE         | \$0                       |
| 2 | (B) CONF. & TRAVEL        | 0                         |
| 3 | (C) PROF. FEES            | 1,700,000                 |
| 4 | (D) CAP. OUTLAY           | 0                         |
| 5 | (E) DATA PROC.            | <u>0</u>                  |
| 6 | TOTAL AMOUNT APPROPRIATED | <u><u>\$1,700,000</u></u> |

7

8 SECTION 13. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES - TRAINING  
9 TRUST FUND. There is hereby appropriated, to the Department of Workforce  
10 Services, to be payable from the Department of Workforce Services Training  
11 Trust Fund, for personal services, operating expenses, and grants for the  
12 Worker Training Program of the Department of Workforce Services - Training  
13 Trust Fund for the fiscal year ending June 30, 2012, the following:

14

|    |            |                  |
|----|------------|------------------|
| 15 | ITEM       | FISCAL YEAR      |
| 16 | <u>NO.</u> | <u>2011-2012</u> |

17 (01) PERSONAL SERVICES, OPERATING EXPENSES

18 AND GRANTS \$5,000,000

19

20 SECTION 14. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES -  
21 UNEMPLOYMENT INSURANCE FUND. There is hereby appropriated, to the Department  
22 of Workforce Services, to be payable from the Department of Workforce  
23 Services Unemployment Insurance Administration Fund, for operating expenses  
24 of the Unemployment Insurance Program of the Department of Workforce Services  
25 - Unemployment Insurance Fund for the fiscal year ending June 30, 2012, the  
26 following:

27

|    |            |                  |
|----|------------|------------------|
| 28 | ITEM       | FISCAL YEAR      |
| 29 | <u>NO.</u> | <u>2011-2012</u> |

30 (01) OPERATING EXPENSES

\$5,000,000

31

32 SECTION 15. APPROPRIATION - LOANS TO LOCAL WORKFORCE INVESTMENT BOARDS.  
33 There is hereby appropriated, to the Department of Workforce Services, to be  
34 payable from cash funds as defined by Arkansas Code 19-4-801 of the  
35 Department of Workforce Services, for loans to local Workforce Investment  
36 Boards (WIB) for local WIB wire transfers by the Department of Workforce

1 Services for the fiscal year ending June 30, 2012, the following:

2

| 3 ITEM       | FISCAL YEAR        |
|--------------|--------------------|
| 4 <u>NO.</u> | <u>2011-2012</u>   |
| 5 (01) LOANS | <u>\$1,500,000</u> |

6

7 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 RESTRICTIONS ON FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT INITIATIVE.

10 Funds appropriated for Community Investment Funds from the Temporary  
11 Assistance for Needy Families (TANF) Block Grant for the fiscal years  
12 ~~2009-2010 and 2010-2011~~ 2011-2012 and 2012-2013 (combined) shall be subject  
13 to these restrictions in their use for the specified statutory purposes to  
14 the extent the funds are available:

- 15 (1) improving outcomes for youth (at least \$1,000,000),
- 16 (2) parenting and family functioning (at least \$500,000),
- 17 (3) marriage and relationship skills (at least \$500,000),
- 18 (4) fatherhood programs (at least \$500,000),
- 19 (5) family and employment services for ex-offenders (at least \$500,000),
- 20 and
- 21 (6) services to child-only TEA cases (at least \$500,000).

22

23 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

- 29 a) Funding from the Temporary Assistance for Needy Families block grant
- 30 is needed to support a critical economic development initiative,
- 31 b) Other funds from the Temporary Assistance for Needy Families block
- 32 grant are not available beyond those needed for the operation of the TEA,
- 33 Work Pays and High Wage Education and Training Programs and for an adequate
- 34 reserve for possible increases in cash assistance during the current fiscal
- 35 year, and
- 36 c) Spending for the economic development initiative is allowable within

1 the federal rules governing the Temporary Assistance for Needy Families Block  
2 Grant.

3 Certification of these conditions shall be made to the Governor and the  
4 Chief Fiscal Officer of the State and notification shall be made to the  
5 Legislative Council and the Senate and House Public Health and Welfare  
6 Committees.

7 If spending on the Community Investment Initiative is reduced, these  
8 reductions shall be assessed proportionately to the funds designated by the  
9 TEA Board for each of the six statutory purposes of the Community Investment  
10 Initiative.

11 The provisions of this section shall be in effect only from July 1,  
12 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

13

14 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
16 FORWARD - NEW HIRE REGISTRY. Any balance in the funds made available by this  
17 Act for the New Hire Registry which remain on June 30, ~~2010~~ 2012, may be  
18 carried forward into the next fiscal year, to be used for the same purpose.

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

21 (1) Prior to June 30, ~~2010~~ 2012 the Agency shall by written statement set  
22 forth its reason(s) for the need to carry forward said funding to the  
23 Department of Finance and Administration Office of Budget;

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

31 (3) Each Agency, Board, Commission or Institution shall provide a written  
32 report to the Arkansas Legislative Council or Joint Budget Committee  
33 containing all information set forth in item (2) above, along with a written  
34 statement as to the current status of the project, contract, purpose etc. for  
35 which the carry forward was originally requested no later than thirty (30)  
36 days prior to the time the Agency, Board, Commission or Institution presents

1 its budget request to the Arkansas Legislative Council/Joint Budget  
2 Committee; and

3 (4) Thereupon, the Department of Finance and Administration shall include  
4 all information obtained in item (3) above in the budget manuals and/or a  
5 statement of non-compliance by the Agency, Board, Commission or Institution.  
6

7 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
9 HELP. There is hereby authorized, for the Department of Workforce Services  
10 for the ~~2010-2011~~ 2011-2012 fiscal year, the following maximum number of  
11 part-time or temporary employees, to be known as "Extra Help", payable from  
12 funds appropriated herein for such purposes: four hundred (400) temporary or  
13 part-time employees, when needed, at rates of pay not to exceed those  
14 provided in the Uniform Classification and Compensation Act, or its  
15 successor, for the appropriate classification. Any of these positions  
16 utilized in a manner which are funded by federal sources are specifically  
17 exempt from limitation of hours, either by Act or Regulation.

18 The provisions of this section shall be in effect only from July 1, ~~2010~~  
19 2011 through June 30, ~~2011~~ 2012.

20

21 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. "REED ACT  
23 FUNDS". Funds received by the State may be used as specified in 903 of the  
24 Social Security Act, for the purpose of construction and improvement of  
25 buildings, rent/lease costs, acquisition of land, the payment of salaries and  
26 related benefits of central and local office staff, maintenance and operation  
27 of central and local offices, payment of unemployment insurance benefits, or  
28 as otherwise prescribed in Section 903 of the Social Security Act, as  
29 amended.

30 The amount obligated pursuant to this Act shall not exceed the amount  
31 by which (a) the aggregate of the amounts transferred to the account of this  
32 State pursuant to Section 903 of the Social Security Act exceeds (b) the  
33 aggregate of the amounts used by this State and charged against the amounts  
34 transferred to the account of this State.

35 The provisions of this section shall be in effect only from July 1,  
36 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

1 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
3 ADDITIONAL POSITIONS. The Director of the Department of Workforce Services,  
4 after receiving the approval of the Office of Personnel Management, and after  
5 seeking the prior review by the Arkansas Legislative Council, shall have the  
6 authority to establish such new or additional full time positions as may  
7 become necessary to carry out the objectives of the program and/or to meet  
8 Federal requirements of new and/or expanded programs where such needs are  
9 financed by federal funds; provided that not more than two hundred persons  
10 may be employed in addition to those authorized in the salary schedule and  
11 that the rate of pay shall not exceed those set out in the salary schedule  
12 for comparable positions as authorized under the provisions of Section 1 of  
13 this Act.

14 If the agency requests continuation of a "Growth Pool" position(s) as  
15 established herein, the position(s) must be requested as a new position(s) in  
16 the agency's budget request.

17 The provisions of this section shall be in effect only from July 1,  
18 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

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

1 appropriated for Regular Salaries, or Maintenance and General Operations,  
2 except as may be authorized elsewhere by law.

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

19 The provisions of this section shall be in effect only from July 1,  
20 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

21  
22 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-  
24 AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR  
25 NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the  
26 Department of Human Services and the Director of the Department of Workforce  
27 Services (DWS), the Chief Fiscal Officer of the State may approve up to three  
28 million six hundred forty thousand six hundred fifty dollars (\$3,640,650)  
29 each fiscal year in State General Revenue appropriated to DWS for the TANF  
30 program to be transferred to the Department of Human Services (DHS) -  
31 Division of County Operations in support of Arkansas' Temporary Assistance  
32 for Needy Families (TANF) Programs or any related separate state programs.

33 The Director of the Department of Workforce Services shall provide a  
34 report of all transfers made to the DHS-Division of County Operations to the  
35 Performance Evaluation and Expenditure Review Committee of the Arkansas  
36 Legislative Council and Joint Budget Committee. The report must include the

1 justification for and the amount of the completed transfers.

2 The provisions of this section shall be in effect only from July 1,  
3 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

4  
5 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
7 OF TANF BLOCK GRANT FUNDS. Each fiscal year, the Department of Workforce  
8 Services shall transfer the sum of seven million five hundred thousand  
9 dollars (\$7,500,000) from the state's federal Temporary Assistance for Needy  
10 Families block grant to the Department of Education, Public School Fund to be  
11 used solely for the Arkansas Better Chance Program.

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

20 The provisions of this section shall be in effect only from July 1,  
21 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

22  
23 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AMERICAN  
25 RECOVERY AND REINVESTMENT ACT OF 2009 APPROPRIATION RESTRICTIONS. Of the  
26 total funds appropriated in Section 10 of this Act, ~~a total of fifty million~~  
27 ~~three hundred seventy four thousand two hundred thirty nine dollars~~  
28 ~~(\$50,374,239) shall be used by the Department of Workforce Services for the~~  
29 ~~payment of unemployment insurance benefits. The remaining~~ nine million five  
30 hundred ninety-five thousand ninety-three dollars (\$9,595,093) shall be  
31 utilized by the Department of Workforce Services for the payment of salaries  
32 and related benefits and maintenance and general operation in support of and  
33 administration of the Unemployment Insurance (UI) Modernization provisions  
34 adopted pursuant to the ARRA - Stimulus Act of 2009. Those funds  
35 specifically identified by this section for the payment of salaries and  
36 related benefits and maintenance and general operation shall be considered as

1 obligations of the Department of Workforce Services for the purpose of  
2 implementing and administering the UI Modernization provisions.

3 The provisions of this section shall be in effect only from July 1,  
4 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

5  
6 SECTION 26. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
7 authorized by this act shall be limited to the appropriation for such agency  
8 and funds made available by law for the support of such appropriations; and  
9 the restrictions of the State Procurement Law, the General Accounting and  
10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
11 Procedures and Restrictions Act, or their successors, and other fiscal  
12 control laws of this State, where applicable, and regulations promulgated by  
13 the Department of Finance and Administration, as authorized by law, shall be  
14 strictly complied with in disbursement of said funds.

15  
16 SECTION 27. LEGISLATIVE INTENT. It is the intent of the General  
17 Assembly that any funds disbursed under the authority of the appropriations  
18 contained in this act shall be in compliance with the stated reasons for  
19 which this act was adopted, as evidenced by the Agency Requests, Executive  
20 Recommendations and Legislative Recommendations contained in the budget  
21 manuals prepared by the Department of Finance and Administration, letters, or  
22 summarized oral testimony in the official minutes of the Arkansas Legislative  
23 Council or Joint Budget Committee which relate to its passage and adoption.

24  
25 SECTION 28. EMERGENCY CLAUSE. It is found and determined by the  
26 General Assembly, that the Constitution of the State of Arkansas prohibits  
27 the appropriation of funds for more than a one (1) year period; that the  
28 effectiveness of this Act on July 1, 2011 is essential to the operation of  
29 the agency for which the appropriations in this Act are provided, and that in  
30 the event of an extension of the legislative session, the delay in the  
31 effective date of this Act beyond July 1, 2011 could work irreparable harm  
32 upon the proper administration and provision of essential governmental  
33 programs. Therefore, an emergency is hereby declared to exist and this Act  
34 being necessary for the immediate preservation of the public peace, health  
35 and safety shall be in full force and effect from and after July 1, 2011.

36



*/s/Joint Budget Committee*

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