

Stricken language will be deleted and underlined language will be added.  
Act 212 of the Fiscal Session

1 State of Arkansas  
2 87th General Assembly  
3 Fiscal Session, 2010

*As Engrossed: H2/16/10*  
**A Bill**

HOUSE BILL 1035

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, 2011; AND FOR OTHER  
13 PURPOSES.  
14

**Subtitle**

15  
16 AN ACT FOR THE DEPARTMENT OF WORKFORCE  
17 SERVICES APPROPRIATION FOR THE 2010-2011  
18 FISCAL YEAR.  
19  
20  
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 2010-2011 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	2010-2011
4	(1)	U037U	DWS DIRECTOR	1	\$137,003
5	(2)	U070U	DWS DEPUTY DIRECTOR	1	\$113,788
6	(3)	U076U	DWS WORKFORCE INVESTMENT DIRECTOR	1	\$106,471
7	(4)	U036U	AR APPEALS TRIBUNAL CHAIRMAN	1	\$103,194
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)	G015N	DWS ASSISTANT DIRECTOR	1	GRADE N908
14	(11)	G017N	DWS ASST DIR - TANF	1	GRADE N904
15	(12)	G016N	DWS ASST DIR GRANTS RESOURCE ADMIN	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 Department of  
 28 Workforce Services Trust Fund, for personal services and operating expenses  
 29 of the Department of Workforce Services for the fiscal year ending June 30,  
 30 2011, the following:

31				
32	ITEM			FISCAL YEAR
33	<u>NO.</u>			<u>2010-2011</u>
34	(01)	REGULAR SALARIES	\$	33,796,581
35	(02)	EXTRA HELP		4,093,000
36	(03)	PERSONAL SERVICES MATCHING		11,323,377

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.	8,530,516
8	(06) AMERICAN RECOVERY AND	
9	REINVESTMENT ACT OF 2009	<u>4,283,524</u>
10	TOTAL AMOUNT APPROPRIATED	<u>\$ 89,911,140</u>

11

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

13 There is hereby appropriated, to the Department of Workforce Services, to be  
 14 payable from cash funds as defined by Arkansas Code 19-4-801 of the  
 15 Department of Workforce Services, for unemployment benefit payments and other  
 16 expenses including, disaster relief payments, training allowances, payments  
 17 to participant contractors and Unemployment Insurance Trust Fund loan  
 18 repayments by the Department of Workforce Services - Unemployment Benefits  
 19 and Expenses - Cash for the fiscal year ending June 30, 2011, the following:

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21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2010-2011</u>
23	(01) DISASTER RELIEF PAYMENTS	\$ 5,000,000
24	(02) FEDERAL EMPLOYEES BENEFIT PAYMENTS	225,000,000
25	(03) UI BENEFITS - REIMBURSABLE EMPLOYERS	25,000,000
26	(04) UI BENEFITS - TAXABLE EMPLOYERS	600,000,000
27	(05) TRAINING ALLOWANCES	5,000,000
28	(06) PAYMENTS TO PARTICIPANT CONTRACTORS	10,000,000
29	(07) UI LOAN REPAYMENT	<u>1</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$ 870,000,001</u>

31

32 SECTION 4. APPROPRIATION - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

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 costs and expenses of the American  
 36 Recovery and Reinvestment Act (ARRA) of 2009 including, increased benefit

1 payments, extension of benefit payments, Trade Adjustment Act (TAA)  
 2 supportive services, and TAA training by the Department of Workforce Services  
 3 for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) FEDERAL EMPLOYEES BENEFIT PAYMENTS - ARRA	\$ 363,880,000
(02) TRAINING ALLOWANCES - ARRA	7,500,000
(03) PAYMENTS TO PARTICIPANT CONTRACTORS - ARRA	<u>3,750,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 375,130,000</u>

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12 SECTION 5. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby  
 13 appropriated, to the Department of Workforce Services, to be payable from the  
 14 Department of Workforce Services Special Fund, for payment of the annual  
 15 assessment to maintain voting member rights in the National Association of  
 16 Workforce Agencies by the Department of Workforce Services for the fiscal  
 17 year ending June 30, 2011, the following:

18

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) ANNUAL ASSESSMENT	<u>\$ 26,000</u>

22

23 SECTION 6. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.  
 24 There is hereby appropriated, to the Department of Workforce Services, to be  
 25 payable from the Department of Workforce Services Special Fund, for payment  
 26 of unemployment benefits and expenses incurred in the administration of the  
 27 Employment Security Law when such expenses exceed funds available from other  
 28 sources by the Department of Workforce Services for the fiscal year ending  
 29 June 30, 2011, the following:

30

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) PAYMENT/EXPENSES	<u>\$ 10,878,035</u>

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35 SECTION 7. APPROPRIATION - WORKFORCE INVESTMENT ACT. There is hereby  
 36 appropriated, to the Department of Workforce Services, to be payable from the

1 federal funds as designated by the Chief Fiscal Officer of the State, for  
 2 grant payments of the Workforce Investment Act by the Department of Workforce  
 3 Services for the fiscal year ending June 30, 2011, the following:

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2010-2011</u>
7 (01) WORKFORCE INVESTMENT ACT PAYMENTS	\$ 70,000,000
8 (02) AMERICAN RECOVERY AND	
9 REINVESTMENT ACT OF 2009	<u>12,459,948</u>
10 TOTAL AMOUNT APPROPRIATED	<u>\$ 82,459,948</u>

11

12 SECTION 8. APPROPRIATION - U I TRUST FUND INTEREST/UNEMPLOYMENT INSURANCE.

13 There is hereby appropriated, to the Department of Workforce Services, to be  
 14 payable from the Employment Security Advance Interest Trust Fund, for paying  
 15 interest incurred by the state on advances from the Federal Unemployment  
 16 Trust Fund, making refunds of advance interest taxes or interest and penalty  
 17 payments which were erroneously paid, and returning moneys to the  
 18 Unemployment Compensation Fund Clearing Account which were incorrectly  
 19 identified and erroneously transferred, if needed, by the Department of  
 20 Workforce Services for the fiscal year ending June 30, 2011, the following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2010-2011</u>
24 (01) U I TRUST FUND INTEREST	\$ 3,000,000
25 (02) LOAN INTEREST	<u>1</u>
26 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,000,001</u>

27

28 SECTION 9. APPROPRIATION - REED ACT FUNDS. There is hereby appropriated,  
 29 to the Department of Workforce Services, to be payable from cash funds as  
 30 defined by Arkansas Code 19-4-801 of the Department of Workforce Services,  
 31 for construction, improvement of buildings, rent and lease costs, acquisition  
 32 of data processing equipment, acquisition of land, payment of salaries and  
 33 related benefits, maintenance and general operation and for the payment of  
 34 unemployment insurance benefits, or as prescribed by the Social Security Act  
 35 of the Department of Workforce Services for the fiscal year ending June 30,  
 36 2011, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) REED ACT FUNDS	<u>\$ 38,500,000</u>

SECTION 10. APPROPRIATION - REED ACT FUNDS - AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA). 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 unemployment insurance benefits, payment of salaries and related benefits, and maintenance and general operations as prescribed by the Social Security Act of 1935, as amended, and the ARRA-Stimulus Act of 2009, the same being P.L. 111-5 of the Department of Workforce Services for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>\$ 59,969,332</u>

SECTION 11. APPROPRIATION - ADMINISTRATION BUILDING UPKEEP. There is hereby appropriated, to the Department of Workforce Services, to be payable from the Department of Workforce Services 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, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) ADMINISTRATION BUILDING UPKEEP	<u>\$ 227,500</u>

SECTION 12. APPROPRIATION - BUILDING AND LAND ACQUISITION. There is hereby appropriated, to the Department of Workforce Services, to be payable from the Department of Workforce Services Special Fund, for acquisition of buildings, acquisition of land, construction of buildings, and modification of existing

1 buildings outside of the Pulaski County area by the Department of Workforce  
 2 Services for the fiscal year ending June 30, 2011, the following:

3

4 ITEM	FISCAL YEAR
5 NO.	2010-2011
6 (01) BUILDING AND LAND ACQUISITION	\$ <u>150,000</u>

7

8 SECTION 13. APPROPRIATION - RENT OF BUILDINGS. There is hereby  
 9 appropriated, to the Department of Workforce Services, to be payable from the  
 10 Department of Workforce Services Special Fund, for rent of buildings by the  
 11 Department of Workforce Services for the fiscal year ending June 30, 2011,  
 12 the following:

13

14 ITEM	FISCAL YEAR
15 NO.	2010-2011
16 (01) RENT OF BUILDINGS	\$ <u>48,354</u>

17

18 SECTION 14. APPROPRIATION - SPECIAL IMPROVEMENT DISTRICT TAXES. There is  
 19 hereby appropriated, to the Department of Workforce Services, to be payable  
 20 from the Department of Workforce Services Special Fund, for payment of  
 21 special improvement district taxes by the Department of Workforce Services  
 22 for the fiscal year ending June 30, 2011, the following:

23

24 ITEM	FISCAL YEAR
25 NO.	2010-2011
26 (01) SPECIAL IMPROVEMENT DISTRICT TAXES	\$ <u>500</u>

27

28 SECTION 15. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)  
 29 BLOCK GRANT PAYING *AND NEW HIRE REGISTRY*. There is hereby appropriated, to  
 30 the Department of Workforce Services, to be payable from the paying account  
 31 as determined by the Chief Fiscal Officer of the State, for *personal*  
 32 *services, maintenance and general operations* and grant payments of the  
 33 Department of Workforce Services - Temporary Assistance for Needy Families  
 34 (TANF) Block Grant Paying *and the New Hire Registry* for the fiscal year  
 35 ending June 30, 2011, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2010-2011</u>
3	(01) ARKANSAS TRANSITIONAL EMPLOYMENT	
4	PROGRAM AND NEW HIRE REGISTRY PERSONAL SERVICES,	\$ 100,000,000
5	MAINTENANCE & GENERAL OPERATIONS AND GRANT PAYMENTS	
6	(02) AMERICAN RECOVERY AND	
7	REINVESTMENT ACT OF 2009	<u>6,200,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 106,200,000</u>

9

10 SECTION 16. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM. There

11 is hereby appropriated, to the Department of Workforce Services, to be

12 payable from the Individual Development Account Trust Fund, for operating

13 expenses of the Department of Workforce Services - Individual Development

14 Account Program for the fiscal year ending June 30, 2011, the following:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2010-2011</u>
18	(01) MAINT. & GEN. OPERATION	
19	(A) OPER. EXPENSE	\$ 0
20	(B) CONF. & TRAVEL	0
21	(C) PROF. FEES	1,700,000
22	(D) CAP. OUTLAY	0
23	(E) DATA PROC.	<u>0</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,700,000</u>

25

26 SECTION 17. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES - TRAINING

27 TRUST FUND. There is hereby appropriated, to the Department of Workforce

28 Services, to be payable from the Department of Workforce Services Training

29 Trust Fund, for personal services, operating expenses, and grants for the

30 Worker Training Program of the Department of Workforce Services - Training

31 Trust Fund for the fiscal year ending June 30, 2011, the following:

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2010-2011</u>
35	(01) PERSONAL SERVICES, OPERATING EXPENSES	
36	AND GRANTS	<u>\$ 5,000,000</u>

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SECTION 18. 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, 2011, the following:

ITEM NO.	FISCAL YEAR 2010-2011
(01) OPERATING EXPENSES	\$ 5,000,000

SECTION 19. 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, 2011, the following:

ITEM NO.	FISCAL YEAR 2010-2011
(01) REGULAR SALARIES	\$ 611,551
(02) PERSONAL SERVICES MATCHING	211,115
(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.	0
TOTAL AMOUNT APPROPRIATED	\$ 1,099,152

SECTION 20. 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

1 Assistance for Needy Families (TANF) Block Grant for the fiscal years  
2 2009-2010 and 2010-2011 (combined) shall be subject to these restrictions in  
3 their use for the specified statutory purposes:

- 4 (1) improving outcomes for youth (at least \$1,000,000),
- 5 (2) parenting and family functioning (at least \$500,000),
- 6 (3) marriage and relationship skills (\$500,000),
- 7 (4) fatherhood programs (at least \$500,000),
- 8 (5) family and employment services for ex-offenders (at least  
9 \$500,000), and
- 10 (6) services to child-only TEA cases (at least \$500,000)

11  
12 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

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

25 c) Spending for the economic development initiative is allowable within  
26 the federal rules governing the Temporary Assistance for Needy Families Block  
27 Grant.

28 Certification of these conditions shall be made to the Governor and the  
29 Chief Fiscal Officer of the State and notification shall be made to the  
30 Legislative Council and the Senate and House Public Health and Welfare  
31 Committees.

32 If spending on the Community Investment Initiative is reduced, these  
33 reductions shall be assessed proportionately to the funds designated by the  
34 TEA Board for each of the six statutory purposes of the Community Investment  
35 Initiative.

36 The provisions of this section shall be in effect only from July 1, ~~2007~~

1 2010 through June 30, ~~2009~~ 2011.

2

3 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
5 FORWARD - NEW HIRE REGISTRY. Any balance in the funds made available by this  
6 Act for the New Hire Registry which remain on June 30, ~~2008~~ 2010, may be  
7 carried forward into the next fiscal year, to be used for the same purpose.

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

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

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

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

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

31

32 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
34 HELP. There is hereby authorized, for the Department of Workforce Services  
35 for the ~~2009-2010~~ 2010-2011 fiscal year, the following maximum number of  
36 part-time or temporary employees, to be known as "Extra Help", payable from

1 funds appropriated herein for such purposes: four hundred (400) temporary or  
2 part-time employees, when needed, at rates of pay not to exceed those  
3 provided in the Uniform Classification and Compensation Act, or its  
4 successor, for the appropriate classification. Any of these positions  
5 utilized in a manner which are funded by federal sources are specifically  
6 exempt from limitation of hours, either by Act or Regulation.

7 The provisions of this section shall be in effect only from July 1,  
8 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

9

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

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

24 The provisions of this section shall be in effect only from July 1, ~~2007~~  
25 2010 through June 30, ~~2009~~ 2011.

26

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

1 that the rate of pay shall not exceed those set out in the salary schedule  
2 for comparable positions as authorized under the provisions of Section 1 of  
3 this Act.

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

7 The provisions of this section shall be in effect only from July 1, ~~2007~~  
8 2010 through June 30, ~~2009~~ 2011.

9

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

29 Determining the maximum number of employees and the maximum amount of  
30 appropriation and general revenue funding for a state agency each fiscal year  
31 is the prerogative of the General Assembly. This is usually accomplished by  
32 delineating such maximums in the appropriation act(s) for a state agency and  
33 the general revenue allocations authorized for each fund and fund account by  
34 amendment to the Revenue Stabilization Law. Further, the General Assembly  
35 has determined that the Department of Workforce Services may operate more  
36 efficiently if some flexibility is provided to the Department of Workforce

1 Services authorizing broad powers under this Section. Therefore, it is both  
2 necessary and appropriate that the General Assembly maintain oversight by  
3 requiring prior approval of the Legislative Council or Joint Budget Committee  
4 as provided by this section. The requirement of approval by the Legislative  
5 Council or Joint Budget Committee is not a severable part of this section.  
6 If the requirement of approval by the Legislative Council or Joint Budget  
7 Committee is ruled unconstitutional by a court of competent jurisdiction,  
8 this entire section is void.

9 The provisions of this section shall be in effect only from July 1, ~~2007~~  
10 2010 through June 30, ~~2009~~ 2011.

11

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

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

28 The provisions of this section shall be in effect only from July 1,  
29 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

30

31 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
33 OF TANF BLOCK GRANT FUNDS. Each fiscal year, the Department of Workforce  
34 Services shall transfer the sum of seven million five hundred thousand  
35 dollars (\$7,500,000) from the state's federal Temporary Assistance for Needy  
36 Families block grant to the Department of Education, Public School Fund to be

1 used solely for the Arkansas Better Chance Program.

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

10 The provisions of this section shall be in effect only from July 1, ~~2007~~  
11 2010 through June 30, ~~2009~~ 2011.

12

13 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARRA  
15 APPROPRIATION RESTRICTIONS. Of the total funds appropriated in Section 10 of  
16 this Act, a total of fifty million three hundred seventy-four thousand two  
17 hundred thirty-nine dollars (\$50,374,239) shall be used by the Department of  
18 Workforce Services for the payment of unemployment insurance benefits. The  
19 remaining nine million five hundred ninety-five thousand ninety-three dollars  
20 (\$9,595,093) shall be utilized by the Department of Workforce Services for  
21 the payment of salaries and related benefits and maintenance and general  
22 operation in support of and administration of the Unemployment Insurance (UI)  
23 Modernization provisions adopted pursuant to the ARRA - Stimulus Act of 2009.  
24 Those funds specifically identified by this section for the payment of  
25 salaries and related benefits and maintenance and general operation shall be  
26 considered as obligations of the Department of Workforce Services for the  
27 purpose of implementing and administering the UI Modernization provisions.

28

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

1 strictly complied with in disbursement of said funds.

2  
3 SECTION 31. LEGISLATIVE INTENT. It is the intent of the General Assembly  
4 that any funds disbursed under the authority of the appropriations contained  
5 in this act shall be in compliance with the stated reasons for which this act  
6 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
7 and Legislative Recommendations contained in the budget manuals prepared by  
8 the Department of Finance and Administration, letters, or summarized oral  
9 testimony in the official minutes of the Arkansas Legislative Council or  
10 Joint Budget Committee which relate to its passage and adoption.

11  
12 SECTION 32. EMERGENCY CLAUSE. It is found and determined by the General  
13 Assembly, that the Constitution of the State of Arkansas prohibits the  
14 appropriation of funds for more than a one (1) year period; that the  
15 effectiveness of this Act on July 1, 2010 is essential to the operation of  
16 the agency for which the appropriations in this Act are provided, and that in  
17 the event of an extension of the legislative session, the delay in the  
18 effective date of this Act beyond July 1, 2010 could work irreparable harm  
19 upon the proper administration and provision of essential governmental  
20 programs. Therefore, an emergency is hereby declared to exist and this Act  
21 being necessary for the immediate preservation of the public peace, health  
22 and safety shall be in full force and effect from and after July 1, 2010.

23  
24 /s/ Joint Budget Committee

25  
26 APPROVED: 2/24/2010  
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