

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

As Engrossed: H2/24/11 H3/3/11

A Bill

HOUSE BILL 1122

5 By: Joint Budget Committee
6

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	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	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>

20

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:

28

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>

33

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>

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>

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:

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:

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:

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.

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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. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE*
7 *ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*
8 *TANF STUDY. The Department of Workforce Services shall immediately proceed*
9 *with issuing a Request for Proposals (RFP), or other appropriate methodology,*
10 *requesting qualified vendors to submit proposals for the completion of a*
11 *study to determine the best and most appropriate way to address the financial*
12 *needs of grandparents raising grandchildren through the Temporary Assistance*
13 *for Needy Families (TANF) Block Grant Program. Immediately upon receiving*
14 *responses from qualified vendors, the Department shall immediately take steps*
15 *to enter into a contract arrangement with the vendor that submits the lowest*
16 *and/or most responsible response to the RFP and begin the study. The*
17 *contract shall be awarded no later than June 30, 2011.*

18
19 *Questions to be addressed in the study shall include, but not be limited to:*

- 20
21 *1) What program model is best for Arkansas?*
22 *2) Which children will be eligible?*
23 *3) Should payments be limited to relatives with legal guardianship,*
24 *unrelated foster parents, or unrelated individuals with close ties*
25 *to the child or family?*
26 *4) What impact will these payments have on other public benefits*
27 *currently received on behalf of these children?*
28 *5) What agency will determine eligibility?*
29 *6) What about child support obligations?*
30 *7) Who will regulate residence compliance?*
31 *8) Will the program require criminal background checks? If yes, who*
32 *will pay for it?*
33 *9) What is the actual financial impact for the TANF program?*
34 *10) What other funding sources exists for the proposed program?*

35
36 *The Department shall consider the findings of this study in conjunction with*

1 the Department's TANF Program Independent Evaluation Study and the evaluation
2 of the Arkansas Career Pathways Initiative. In addition, the Department
3 shall duly consider the findings from the grandparents raising grandchildren
4 study as they prepare their annual TANF budget.

5
6 If the Department of Workforce Services fails to comply with all of the
7 provisions of this Section by December 31, 2011, the Department shall
8 immediately begin providing cash assistance payments to grandparents who are
9 the legal guardians of their grandchildren, and whose incomes are below 100%
10 of the Federal Poverty Level (FPL). These payments shall be paid at the rate
11 of \$100 per month per grandparent household.

12
13 SECTION 27. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
14 authorized by this act shall be limited to the appropriation for such agency
15 and funds made available by law for the support of such appropriations; and
16 the restrictions of the State Procurement Law, the General Accounting and
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
18 Procedures and Restrictions Act, or their successors, and other fiscal
19 control laws of this State, where applicable, and regulations promulgated by
20 the Department of Finance and Administration, as authorized by law, shall be
21 strictly complied with in disbursement of said funds.

22
23 SECTION 28. LEGISLATIVE INTENT. It is the intent of the General
24 Assembly that any funds disbursed under the authority of the appropriations
25 contained in this act shall be in compliance with the stated reasons for
26 which this act was adopted, as evidenced by the Agency Requests, Executive
27 Recommendations and Legislative Recommendations contained in the budget
28 manuals prepared by the Department of Finance and Administration, letters, or
29 summarized oral testimony in the official minutes of the Arkansas Legislative
30 Council or Joint Budget Committee which relate to its passage and adoption.

31
32 SECTION 29. EMERGENCY CLAUSE. It is found and determined by the
33 General Assembly, that the Constitution of the State of Arkansas prohibits
34 the appropriation of funds for more than one (1) year period; that the
35 effectiveness of this Act on July 1, 2011 is essential to the operation of
36 the agency for which the appropriations in this Act are provided; with the

1 exception that SECTION 26 in this Act shall be in full force and effect from
2 and after the date of its passage and approval, and that in the event of an
3 extension of the legislative session, the delay in the effective date of this
4 Act beyond July 1, 2011, could work irreparable harm upon the proper
5 administration and provision of essential governmental programs, with the
6 exception that SECTION 26 in this Act shall be in full force and effect from
7 and after the date of its passage and approval. Therefore, an emergency is
8 hereby declared to exist and this Act being necessary for the immediate
9 preservation of the public peace, health, and safety shall be in full force
10 and effect from and after July 1, 2011; with the exception that SECTION 26 in
11 this Act shall be in full force and effect from and after the date of its
12 passage and approval.

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15
16 /s/Joint Budget Committee

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19 **APPROVED: 04/01/2011**
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