

Stricken language will be deleted and underlined language will be added.
Act 282 of the Fiscal Session

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

As Engrossed: H2/22/12
A Bill

HOUSE BILL 1127

5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 WORKFORCE SERVICES FOR THE FISCAL YEAR ENDING JUNE
11 30, 2013; AND FOR OTHER PURPOSES.
12
13

14 **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF WORKFORCE
16 SERVICES APPROPRIATION FOR THE 2012-2013
17 FISCAL YEAR.
18
19

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

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Workforce Services for the 2012-2013 fiscal year, the following
24 maximum number of regular employees.
25

26				Maximum Annual	
27			Maximum	Salary Rate	
28	Item	Class	No. of	Fiscal Year	
29	No.	Code	Title	Employees	2012-2013
30	(1)	U037U	DWS DIRECTOR	1	\$142,872
31	(2)	U070U	DWS DEPUTY DIRECTOR	1	\$118,662
32	(3)	U076U	DWS WORKFORCE INVESTMENT DIRECTOR	1	\$111,032
33	(4)	U036U	AR APPEALS TRIBUNAL CHAIRMAN	1	\$107,614
34	(5)	G015N	DWS ASSISTANT DIRECTOR	1	GRADE N908
35	(6)	N051N	DWS ASST DIR, EMPLOYMENT ASSIST	1	GRADE N908
36	(7)	N050N	DWS ASST DIR, FINANCIAL MANAGEMENT	1	GRADE N908



1	(8)	N049N	DWS ASST DIR, INFO AND TECHNOLOGY	1	GRADE N908
2	(9)	N074N	DWS ASST DIR, UNEMPLOYMENT INS	1	GRADE N908
3	(10)	G007N	DWS GENERAL COUNSEL	1	GRADE N908
4	(11)	G017N	DWS ASST DIR - TANF	1	GRADE N904
5	(12)	G016N	DWS ASST DIR GRANTS RESOURCE ADMIN	1	GRADE N904
6	(13)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE C128
7	(14)	A015C	DWS DIR INTERNAL AUDIT & SECURITY	1	GRADE C127
8	(15)	G020C	DWS PROGRAM ADMINISTRATOR	3	GRADE C127
9	(16)	A021C	AGENCY CONTROLLER I	1	GRADE C126
10	(17)	G047C	ATTORNEY SPECIALIST	2	GRADE C126
11	(18)	D017C	INFORMATION SYSTEMS SECURITY SPECIA	1	GRADE C126
12	(19)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
13	(20)	A031C	ASSISTANT CONTROLLER	3	GRADE C124
14	(21)	G073C	ATTORNEY	7	GRADE C124
15	(22)	G068C	DWS AREA OPERATIONS CHIEF	8	GRADE C124
16	(23)	D022C	SYSTEMS SPECIALIST	2	GRADE C124
17	(24)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
18	(25)	G081C	DWS DIVISION CHIEF	6	GRADE C123
19	(26)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	16	GRADE C123
20	(27)	G110C	DWS PROGRAM MANAGER	6	GRADE C121
21	(28)	G114C	DWS WORKFORCE INVEST REG ADVISOR	2	GRADE C121
22	(29)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE C121
23	(30)	G138C	AGENCY ADMINISTRATIVE REVIEW OFFICE	12	GRADE C120
24	(31)	R019C	BUDGET MANAGER	1	GRADE C120
25	(32)	R015C	DWS EQUAL OPPORTUNITY MANAGER	1	GRADE C120
26	(33)	G128C	DWS FIELD MANAGER II	16	GRADE C120
27	(34)	G127C	DWS PROGRAM OPERATIONS MANAGER	29	GRADE C120
28	(35)	E023C	TRAINING PROJECT MANAGER	2	GRADE C120
29	(36)	D062C	DATABASE ANALYST	1	GRADE C119
30	(37)	G149C	DWS FIELD MANAGER I	18	GRADE C119
31	(38)	D061C	INFORMATION SYSTEMS COORDINATION SP	2	GRADE C119
32	(39)	A066C	INTERNAL AUDITOR	4	GRADE C119
33	(40)	A065C	PAYROLL SERVICES COORDINATOR	1	GRADE C119
34	(41)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
35	(42)	X062C	QUALITY ASSURANCE COORDINATOR	1	GRADE C119
36	(43)	A060C	SENIOR AUDITOR	2	GRADE C119

1	(44)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
2	(45)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
3	(46)	A075C	FINANCIAL ANALYST I	2	GRADE C118
4	(47)	A074C	FISCAL SUPPORT SUPERVISOR	6	GRADE C118
5	(48)	A073C	PROGRAM/FIELD AUDITOR SUPERVISOR	2	GRADE C118
6	(49)	A081C	AUDITOR	7	GRADE C117
7	(50)	R027C	BUDGET SPECIALIST	9	GRADE C117
8	(51)	G181C	DWS PROGRAM MONITOR	51	GRADE C117
9	(52)	R025C	HUMAN RESOURCES ANALYST	2	GRADE C117
10	(53)	D068C	INFORMATION SYSTEMS ANALYST	1	GRADE C117
11	(54)	G179C	LEGAL SERVICES SPECIALIST	2	GRADE C117
12	(55)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
13	(56)	B076C	RESEARCH PROJECT ANALYST	16	GRADE C117
14	(57)	E040C	STAFF DEVELOPMENT COORDINATOR	1	GRADE C117
15	(58)	A089C	ACCOUNTANT I	3	GRADE C116
16	(59)	V014C	BUYER	3	GRADE C116
17	(60)	G196C	DWS SATELLITE OFFICE SUPERVISOR	9	GRADE C116
18	(61)	A085C	DWS SR FIELD TAX REPRESENTATIVE	3	GRADE C116
19	(62)	A084C	PROGRAM/FIELD AUDIT SPECIALIST	7	GRADE C116
20	(63)	P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
21	(64)	E046C	TRAINING INSTRUCTOR	21	GRADE C116
22	(65)	C037C	ADMINISTRATIVE ANALYST	24	GRADE C115
23	(66)	D079C	COMPUTER SUPPORT TECHNICIAN	1	GRADE C115
24	(67)	A092C	DWS FIELD TAX REP	19	GRADE C115
25	(68)	G209C	DWS PROGRAM SUPERVISOR	43	GRADE C115
26	(69)	C032C	DWS UI CLAIM TECHNICIAN	20	GRADE C115
27	(70)	X139C	DWS UI INVESTIGATOR	12	GRADE C115
28	(71)	A091C	FISCAL SUPPORT ANALYST	20	GRADE C115
29	(72)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
30	(73)	S032C	PRINT SHOP SUPERVISOR	1	GRADE C115
31	(74)	V015C	PURCHASING SPECIALIST	1	GRADE C115
32	(75)	S031C	SKILLED TRADESMAN	1	GRADE C115
33	(76)	G217C	DWS WORKFORCE SPECIALIST	399	GRADE C114
34	(77)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	4	GRADE C113
35	(78)	G220C	DWS UNIT SUPERVISOR	5	GRADE C113
36	(79)	R036C	HUMAN RESOURCES SPECIALIST	6	GRADE C113

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

14

15 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 16 to the Department of Workforce Services, to be payable from the Department of
 17 Workforce Services Trust Fund, for personal services and operating expenses
 18 of the Department of Workforce Services for the fiscal year ending June 30,
 19 2013, the following:

20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2012-2013</u>
23	(01) REGULAR SALARIES	\$37,706,317
24	(02) EXTRA HELP	4,093,000
25	(03) PERSONAL SERVICES MATCHING	12,778,334
26	(04) OVERTIME	60,000
27	(05) MAINT. & GEN. OPERATION	
28	(A) OPER. EXPENSE	23,721,905
29	(B) CONF. & TRAVEL	705,585
30	(C) PROF. FEES	1,784,653
31	(D) CAP. OUTLAY	2,419,001
32	(E) DATA PROC.	0
33	(06) AMERICAN RECOVERY AND	
34	REINVESTMENT ACT OF 2009	<u>3,434,089</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$86,702,884</u>

36

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, 2013, the following:

10	ITEM	FISCAL YEAR
11	<u>NO.</u>	<u>2012-2013</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><u>\$981,250,000</u></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:

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2012-2013</u>
31	(01) AMERICAN RECOVERY AND	
32	REINVESTMENT ACT OF 2009	<u><u>\$300,000,000</u></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, 2013, the following:

4	5 ITEM	FISCAL YEAR
6	<u>NO.</u>	<u>2012-2013</u>
7	(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, 2013, the following:

19	20 ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2012-2013</u>
22	(01) CONSTRUCTION	\$377,500
23	(02) RENT OF BUILDINGS	48,354
24	(03) PAYMENT/EXPENSES	<u>10,878,535</u>
25	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, 2013, the following:

32	33 ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2012-2013</u>
35	(01) WORKFORCE INVESTMENT ACT PAYMENTS	\$60,000,000
36	(02) AMERICAN RECOVERY AND	

1	REINVESTMENT ACT OF 2009	<u>2,500,000</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$62,500,000</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, 2013, the following:

13

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2012-2013</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, 2013, the following:

29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2012-2013</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 unemployment
 2 insurance benefits, salaries and related benefits, and maintenance and
 3 general operations as prescribed by the Social Security Act of 1935, as
 4 amended and the ARRA-Stimulus Act of 2009, the same being P.L. 111-5 by the
 5 Department of Workforce Services for the fiscal year ending June 30, 2013,
 6 the following:

7

8 ITEM	FISCAL YEAR
9 NO.	<u>2012-2013</u>
10 (01) AMERICAN RECOVERY AND	
11 REINVESTMENT ACT OF 2009	<u>\$9,595,093</u>

12

13 SECTION 11. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
 14 (TANF) BLOCK GRANT PAYING AND NEW HIRE REGISTRY. There is hereby
 15 appropriated, to the Department of Workforce Services, to be payable from the
 16 paying account as determined by the Chief Fiscal Officer of the State, for
 17 personal services, maintenance and general operations, and grant payments of
 18 the Department of Workforce Services - Temporary Assistance for Needy
 19 Families (TANF) Block Grant Paying and the New Hire Registry for the fiscal
 20 year ending June 30, 2013, the following:

21

22 ITEM	FISCAL YEAR
23 NO.	<u>2012-2013</u>
24 (01) ARKANSAS TRANSITIONAL EMPLOYMENT	
25 PROGRAM & NEW HIRE REGISTRY -	
26 PERSONAL SERVICES, MAINT. &	
27 GEN. OPERATIONS, & GRANT PAYMENTS	<u>\$64,501,053</u>

28

29 SECTION 12. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM.
 30 There is hereby appropriated, to the Department of Workforce Services, to be
 31 payable from the Individual Development Account Trust Fund, for operating
 32 expenses of the Department of Workforce Services - Individual Development
 33 Account Program for the fiscal year ending June 30, 2013, the following:

34

35 ITEM	FISCAL YEAR
36 NO.	<u>2012-2013</u>

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

8

9 SECTION 13. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES - TRAINING

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

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

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

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

14 Trust Fund for the fiscal year ending June 30, 2013, the following:

15		
16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2012-2013</u>
18	(01) PERSONAL SERVICES, OPERATING EXPENSES	
19	AND GRANTS	<u>\$5,000,000</u>

20

21 SECTION 14. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES -

22 UNEMPLOYMENT INSURANCE FUND. There is hereby appropriated, to the Department

23 of Workforce Services, to be payable from the Department of Workforce

24 Services Unemployment Insurance Administration Fund, for operating expenses

25 of the Unemployment Insurance Program of the Department of Workforce Services

26 - Unemployment Insurance Fund for the fiscal year ending June 30, 2013, the

27 following:

28		
29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2012-2013</u>
31	(01) OPERATING EXPENSES	<u>\$5,000,000</u>

32

33 SECTION 15. APPROPRIATION - LOANS TO LOCAL WORKFORCE INVESTMENT BOARDS.

34 There is hereby appropriated, to the Department of Workforce Services, to be

35 payable from cash funds as defined by Arkansas Code 19-4-801 of the

36 Department of Workforce Services, for loans to local Workforce Investment

1 Boards (WIB) for local WIB wire transfers by the Department of Workforce
 2 Services for the fiscal year ending June 30, 2013, the following:

3	4 ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2012-2013</u>
6	(01) LOANS	<u>\$1,500,000</u>

7
 8 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 10 RESTRICTIONS ON FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT INITIATIVE.
 11 Funds appropriated for Community Investment Funds from the Temporary
 12 Assistance for Needy Families (TANF) Block Grant for the fiscal years 2011-
 13 2012 and 2012-2013 (combined) shall be subject to these restrictions in their
 14 use for the specified statutory purposes to the extent the funds are
 15 available:

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

23
 24 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 26 SUSPENSION OR REDUCTION OF FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT
 27 INITIATIVE. Spending for the Community Investment Initiative can be
 28 suspended or reduced if the Director of the Department of Workforce Services
 29 and the Transitional Employment Board certify that

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

1 c) Spending for the economic development initiative is allowable within
2 the federal rules governing the Temporary Assistance for Needy Families Block
3 Grant.

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

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

12 The provisions of this section shall be in effect only from July 1,
13 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

14

15 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
17 FORWARD - NEW HIRE REGISTRY. Any balance in the funds made available by this
18 Act for the New Hire Registry which remain on June 30, ~~2010~~ 2013, may be
19 carried forward into the next fiscal year, to be used for the same purpose.

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

22 (1) Prior to June 30, ~~2010~~ 2013 the Agency shall by written statement
23 set forth its reason(s) for the need to carry forward said funding to the
24 Department of Finance and Administration Office of Budget;

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

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

1 days prior to the time the Agency, Board, Commission or Institution presents
2 its budget request to the Arkansas Legislative Council/Joint Budget
3 Committee; and

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

8

9 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
11 HELP. There is hereby authorized, for the Department of Workforce Services
12 for the ~~2010-2011~~ 2012-2013 fiscal year, the following maximum number of
13 part-time or temporary employees, to be known as "Extra Help", payable from
14 funds appropriated herein for such purposes: four hundred (400) temporary or
15 part-time employees, when needed, at rates of pay not to exceed those
16 provided in the Uniform Classification and Compensation Act, or its
17 successor, for the appropriate classification. Any of these positions
18 utilized in a manner which are funded by federal sources are specifically
19 exempt from limitation of hours, either by Act or Regulation.

20 The provisions of this section shall be in effect only from July 1,
21 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

22

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

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

1 The provisions of this section shall be in effect only from July 1,
2 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

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

20 The provisions of this section shall be in effect only from July 1,
21 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

22
23 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
25 OF APPROPRIATION. Subject to such rules and regulations as may be
26 implemented by the Chief Fiscal Officer of the State and after having sought
27 the prior approval by the Arkansas Legislative Council or Joint Budget
28 Committee, the Director of the Department of Workforce Services is hereby
29 authorized to make transfers from any appropriation made by this Act to any
30 other appropriation made by this Act with the exception of the "Reed Act
31 Funds" appropriations set forth in Section 9 of this Act, and of the
32 appropriation made for Regular Salaries or Maintenance and General Operation.
33 Such transfers may be made whenever it appears, by projecting the
34 expenditures of any of the appropriations in this Act, that there will be a
35 deficiency of appropriation in one item and that there will be a
36 corresponding excess of appropriation in another item or items which may be

1 transferred. The transfer of appropriation shall be effected only on
2 approval of the Chief Fiscal Officer of the State. Provided, however, that no
3 transfer of appropriations may be authorized to increase the total amount
4 appropriated for Regular Salaries, or Maintenance and General Operations,
5 except as may be authorized elsewhere by law.

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

22 The provisions of this section shall be in effect only from July 1,
23 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

24

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

36 The Director of the Department of Workforce Services shall provide a

1 report of all transfers made to the DHS-Division of County Operations to the
2 Performance Evaluation and Expenditure Review Committee of the Arkansas
3 Legislative Council and Joint Budget Committee. The report must include the
4 justification for and the amount of the completed transfers.

5 The provisions of this section shall be in effect only from July 1,
6 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

7

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

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

23 The provisions of this section shall be in effect only from July 1,
24 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

25

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

1 *maintenance and general operation shall be considered as obligations of the*
2 *Department of Workforce Services for the purpose of implementing and*
3 *administering the UI Modernization provisions.*

4 *The provisions of this section shall be in effect only from July 1,*
5 *~~2011~~ 2012 through June 30, ~~2012~~ 2013.*

6
7 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TANF
9 STUDY. The Department of Workforce Services shall immediately proceed with
10 issuing a Request for Proposals (RFP), or other appropriate methodology,
11 requesting qualified vendors to submit proposals for the completion of a
12 study to determine the best and most appropriate way to address the financial
13 needs of grandparents raising grandchildren through the Temporary Assistance
14 for Needy Families (TANF) Block Grant Program. Immediately upon receiving
15 responses from qualified vendors, the Department shall immediately take steps
16 to enter into a contract arrangement with the vendor that submits the lowest
17 and/or most responsible response to the RFP and begin the study. The contract
18 shall be awarded no later than June 30, 2011.

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

- 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 to
25 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 The Department shall consider the findings of this study in conjunction
36 with the Department's TANF Program Independent Evaluation Study and the

1 evaluation of the Arkansas Career Pathways Initiative. In addition, the
2 Department shall duly consider the findings from the grandparents raising
3 grandchildren study as they prepare their annual TANF budget.

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

10
11 SECTION 27. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
12 authorized by this act shall be limited to the appropriation for such agency
13 and funds made available by law for the support of such appropriations; and
14 the restrictions of the State Procurement Law, the General Accounting and
15 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
16 Procedures and Restrictions Act, or their successors, and other fiscal
17 control laws of this State, where applicable, and regulations promulgated by
18 the Department of Finance and Administration, as authorized by law, shall be
19 strictly complied with in disbursement of said funds.

20
21 SECTION 28. LEGISLATIVE INTENT. It is the intent of the General
22 Assembly that any funds disbursed under the authority of the appropriations
23 contained in this act shall be in compliance with the stated reasons for
24 which this act was adopted, as evidenced by the Agency Requests, Executive
25 Recommendations and Legislative Recommendations contained in the budget
26 manuals prepared by the Department of Finance and Administration, letters, or
27 summarized oral testimony in the official minutes of the Arkansas Legislative
28 Council or Joint Budget Committee which relate to its passage and adoption.

29
30 SECTION 29. EMERGENCY CLAUSE. It is found and determined by the
31 General Assembly, that the Constitution of the State of Arkansas prohibits
32 the appropriation of funds for more than a one (1) year period; that the
33 effectiveness of this Act on July 1, 2012 is essential to the operation of
34 the agency for which the appropriations in this Act are provided, and that in
35 the event of an extension of the legislative session, the delay in the
36 effective date of this Act beyond July 1, 2012 could work irreparable harm

1 upon the proper administration and provision of essential governmental
2 programs. Therefore, an emergency is hereby declared to exist and this Act
3 being necessary for the immediate preservation of the public peace, health
4 and safety shall be in full force and effect from and after July 1, 2012.

5
6 */s/Joint Budget Committee*

7
8
9 **APPROVED: 03/05/2012**
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36