

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: S2/18/19

A Bill

SENATE BILL 94

5 By: Joint Budget Committee
6

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, 2020; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF WORKFORCE
15 SERVICES APPROPRIATION FOR THE 2019-2020
16 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Workforce Services for the 2019-2020 fiscal year, the following
24 maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
30	(1)	U037U DWS DIRECTOR	1	GRADE SE03
31	(2)	U036U AR APPEALS TRIBUNAL CHAIRMAN	1	GRADE SE01
32	(3)	U070U DWS DEPUTY DIRECTOR	2	GRADE SE01
33	(4)	U076U DWS WORKFORCE INVESTMENT DIRECTOR	1	GRADE SE01
34	(5)	D007C INFORMATION SYSTEMS MANAGER	2	GRADE IT08
35	(6)	D017C INFORMATION SYSTEMS SECURITY SPEC	1	GRADE IT07
36	(7)	D038C SENIOR SOFTWARE SUPPORT ANALYST	16	GRADE IT06



1	(8)	D022C SYSTEMS SPECIALIST	2	GRADE IT06
2	(9)	D061C INFORMATION SYSTEMS COORD SPEC	2	GRADE IT05
3	(10)	D052C SOFTWARE SUPPORT ANALYST	7	GRADE IT05
4	(11)	D062C DATABASE ANALYST	1	GRADE IT04
5	(12)	D071C COMPUTER SUPPORT ANALYST	2	GRADE IT03
6	(13)	G007N DWS GENERAL COUNSEL	1	GRADE GS14
7	(14)	G017N DWS ASST DIR - TANF	1	GRADE GS13
8	(15)	N051N DWS ASST DIR, EMPLOYMENT ASSIST	1	GRADE GS13
9	(16)	N050N DWS ASST DIR, FINANCIAL MANAGEMENT	1	GRADE GS13
10	(17)	N049N DWS ASST DIR, INFO AND TECHNOLOGY	1	GRADE GS13
11	(18)	N074N DWS ASST DIR, UNEMPLOYMENT INS	1	GRADE GS13
12	(19)	A021C AGENCY CONTROLLER I	1	GRADE GS12
13	(20)	G016N DWS ASST DIR GRANTS RESOURCE ADMIN	1	GRADE GS12
14	(21)	A015C DWS DIR INTERNAL AUDIT & SECURITY	1	GRADE GS12
15	(22)	P007N DWS DIRECTOR OF COMMUNICATIONS	1	GRADE GS12
16	(23)	G020C DWS PROGRAM ADMINISTRATOR	3	GRADE GS12
17	(24)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
18	(25)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
19	(26)	A031C ASSISTANT CONTROLLER	3	GRADE GS11
20	(27)	G047C ATTORNEY SPECIALIST	2	GRADE GS11
21	(28)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
22	(29)	G073C ATTORNEY	8	GRADE GS10
23	(30)	G068C DWS AREA OPERATIONS CHIEF	7	GRADE GS10
24	(31)	R019C BUDGET MANAGER	1	GRADE GS09
25	(32)	G288C DWS DIVISION MANAGER	4	GRADE GS09
26	(33)	R015C DWS EQUAL OPPORTUNITY MANAGER	1	GRADE GS09
27	(34)	G243C DWS FIELD MANAGER III	2	GRADE GS09
28	(35)	G110C DWS PROGRAM MANAGER	7	GRADE GS09
29	(36)	G109C GRANTS MANAGER	1	GRADE GS09
30	(37)	G081C DWS DIVISION CHIEF	1	GRADE GS08
31	(38)	G128C DWS FIELD MANAGER II	18	GRADE GS08
32	(39)	G127C DWS PROGRAM OPERATIONS MANAGER	28	GRADE GS08
33	(40)	G114C DWS WORKFORCE INVEST REG ADVISOR	2	GRADE GS08
34	(41)	A066C INTERNAL AUDITOR	4	GRADE GS08
35	(42)	V007C PROCUREMENT COORDINATOR	1	GRADE GS08
36	(43)	A060C SENIOR AUDITOR	3	GRADE GS08

1	(44)	E023C TRAINING PROJECT MANAGER	2	GRADE GS08
2	(45)	A089C ACCOUNTANT I	3	GRADE GS07
3	(46)	G138C AGENCY ADMINISTRATIVE REVIEW OFFICER	10	GRADE GS07
4	(47)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
5	(48)	A081C AUDITOR	7	GRADE GS07
6	(49)	G149C DWS FIELD MANAGER I	15	GRADE GS07
7	(50)	G181C DWS PROGRAM MONITOR	48	GRADE GS07
8	(51)	G209C DWS PROGRAM SUPERVISOR	41	GRADE GS07
9	(52)	G196C DWS SATELLITE OFFICE SUPERVISOR	7	GRADE GS07
10	(53)	A085C DWS SR FIELD TAX REPRESENTATIVE	3	GRADE GS07
11	(54)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE GS07
12	(55)	A075C FINANCIAL ANALYST I	2	GRADE GS07
13	(56)	A065C PAYROLL SERVICES COORDINATOR	1	GRADE GS07
14	(57)	A073C PROGRAM/FIELD AUDITOR SUPERVISOR	2	GRADE GS07
15	(58)	E040C STAFF DEVELOPMENT COORDINATOR	2	GRADE GS07
16	(59)	C037C ADMINISTRATIVE ANALYST	26	GRADE GS06
17	(60)	R027C BUDGET SPECIALIST	7	GRADE GS06
18	(61)	A092C DWS FIELD TAX REP	17	GRADE GS06
19	(62)	C032C DWS UI CLAIM TECHNICIAN	18	GRADE GS06
20	(63)	X139C DWS UI INVESTIGATOR	12	GRADE GS06
21	(64)	G217C DWS WORKFORCE SPECIALIST	329	GRADE GS06
22	(65)	A074C FISCAL SUPPORT SUPERVISOR	6	GRADE GS06
23	(66)	R025C HUMAN RESOURCES ANALYST	2	GRADE GS06
24	(67)	G179C LEGAL SERVICES SPECIALIST	2	GRADE GS06
25	(68)	S017C MAINTENANCE COORDINATOR	1	GRADE GS06
26	(69)	A084C PROGRAM/FIELD AUDIT SPECIALIST	7	GRADE GS06
27	(70)	B076C RESEARCH PROJECT ANALYST	13	GRADE GS06
28	(71)	E046C TRAINING INSTRUCTOR	23	GRADE GS06
29	(72)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	4	GRADE GS05
30	(73)	V014C BUYER	3	GRADE GS05
31	(74)	G220C DWS UNIT SUPERVISOR	5	GRADE GS05
32	(75)	A091C FISCAL SUPPORT ANALYST	19	GRADE GS05
33	(76)	S033C MAINTENANCE SUPERVISOR	3	GRADE GS05
34	(77)	S032C PRINT SHOP SUPERVISOR	1	GRADE GS05
35	(78)	V015C PURCHASING SPECIALIST	1	GRADE GS05
36	(79)	C056C ADMINISTRATIVE SPECIALIST III	15	GRADE GS04

1	(80)	A098C FISCAL SUPPORT SPECIALIST	23	GRADE GS04
2	(81)	R036C HUMAN RESOURCES SPECIALIST	6	GRADE GS04
3	(82)	C046C LEGAL SUPPORT SPECIALIST	11	GRADE GS04
4	(83)	S046C MAINTENANCE TECHNICIAN	1	GRADE GS04
5	(84)	V022C PURCHASING TECHNICIAN	1	GRADE GS04
6	(85)	S031C SKILLED TRADESMAN	1	GRADE GS04
7	(86)	V023C STOREROOM SUPERVISOR	1	GRADE GS04
8	(87)	C073C ADMINISTRATIVE SPECIALIST II	11	GRADE GS03
9	(88)	S081C APPRENTICE TRADESMAN	2	GRADE GS03
10	(89)	X183C DWS CLAIMS ADJUDICATOR	6	GRADE GS03
11	(90)	S054C PRINTER	1	GRADE GS03
12	(91)	C087C ADMINISTRATIVE SPECIALIST I	18	GRADE GS02
13	(92)	S087C INSTITUTIONAL SERVICES ASSISTANT	<u>1</u>	GRADE GS01
14		MAX. NO. OF EMPLOYEES	890	

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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 - Operations for the fiscal year
 20 ending June 30, 2020, the following:

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22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2019-2020</u>
24	(01) REGULAR SALARIES	\$34,691,952
25	(02) EXTRA HELP	3,300,000
26	(03) PERSONAL SERVICES MATCHING	12,499,567
27	(04) OVERTIME	60,000
28	(05) MAINT. & GEN. OPERATION	
29	(A) OPER. EXPENSE	19,335,741
30	(B) CONF. & TRAVEL	705,440
31	(C) PROF. FEES	3,000,000
32	(D) CAP. OUTLAY	2,419,001
33	(E) DATA PROC.	<u>0</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$76,011,701</u>

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

1 There is hereby appropriated, to the Department of Workforce Services, to be
 2 payable from cash funds as defined by Arkansas Code 19-4-801 of the
 3 Department of Workforce Services, for unemployment benefit payments and other
 4 expenses including, disaster relief payments, training allowances, payments
 5 to participant contractors and Unemployment Insurance Trust Fund loan
 6 repayments by the Department of Workforce Services - Unemployment Benefits
 7 and Expenses - Cash for the fiscal year ending June 30, 2020, the following:

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2019-2020</u>
11 (01) DISASTER RELIEF PAYMENTS	\$4,000,000
12 (02) FEDERAL EMPLOYEES BENEFIT PAYMENTS	45,000,000
13 (03) U I BENEFITS - REIMBURSABLE EMPLOYERS	20,000,000
14 (04) U I BENEFITS - TAXABLE EMPLOYERS	400,000,000
15 (05) TRAINING ALLOWANCES	4,000,000
16 (06) PAYMENTS TO PART CONTRACTORS	0
17 (07) UI ADVANCE REPAYMENT	<u>1</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$473,000,001</u>

19
 20 SECTION 4. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby
 21 appropriated, to the Department of Workforce Services, to be payable from the
 22 Department of Workforce Services Special Fund, for payment of the annual
 23 assessment to maintain voting member rights in the National Association of
 24 Workforce Agencies by the Department of Workforce Services - Annual
 25 Assessments for the fiscal year ending June 30, 2020, the following:

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2019-2020</u>
29 (01) ANNUAL ASSESSMENT	<u>\$26,000</u>

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 31 SECTION 5. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.
 32 There is hereby appropriated, to the Department of Workforce Services, to be
 33 payable from the Department of Workforce Services Special Fund, for
 34 construction, personal services and matching, maintenance and general
 35 operating expenses for the Administration Building and all other agency owned
 36 buildings, building land acquisition, rent of buildings, and payment of

1 unemployment benefits and expenses incurred by the Department of Workforce
 2 Services in the administration of the Department of Workforce Services Law,
 3 the Temporary Assistance for Needy Families Program, the Arkansas Workforce
 4 Innovation and Opportunity Act and the Arkansas Works Act of 2016, or their
 5 successor programs and any other programs transferred under the direction and
 6 supervision of the Department of Workforce Services, when such expenses
 7 exceed funds available from other sources by the Department of Workforce
 8 Services - Excess Unemployment Benefits and Expenses for the fiscal year
 9 ending June 30, 2020, the following:

10

11 ITEM	FISCAL YEAR
12 <u>NO.</u>	<u>2019-2020</u>
13 (01) CONSTRUCTION	\$0
14 (02) RENT OF BUILDINGS	0
15 (03) PAYMENT/EXPENSES	<u>10,000,000</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$10,000,000</u></u>

17

18 SECTION 6. APPROPRIATION - WORKFORCE INNOVATION AND OPPORTUNITY ACT.
 19 There is hereby appropriated, to the Department of Workforce Services, to be
 20 payable from the federal funds as designated by the Chief Fiscal Officer of
 21 the State, for grant payments of the Workforce Innovation and Opportunity Act
 22 by the Department of Workforce Services - Workforce Innovation and
 23 Opportunity Act for the fiscal year ending June 30, 2020, the following:

24

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2019-2020</u>
27 (01) WORKFORCE INNOVATION AND OPPORTUNITY	
28 ACT PAYMENTS	<u><u>\$40,000,000</u></u>

29

30 SECTION 7. APPROPRIATION - U I TRUST FUND INTEREST/UNEMPLOYMENT
 31 INSURANCE. There is hereby appropriated, to the Department of Workforce
 32 Services, to be payable from the Employment Security Advance Interest Trust
 33 Fund, for paying interest incurred by the state on advances from the Federal
 34 Unemployment Trust Fund, making refunds of advance interest taxes or interest
 35 and penalty payments which were erroneously paid, and returning moneys to the
 36 Unemployment Compensation Fund Clearing Account which were incorrectly

1 identified and erroneously transferred, if needed by the Department of
2 Workforce Services - UI Trust Fund Interest/Unemployment Insurance for the
3 fiscal year ending June 30, 2020, the following:

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5	ITEM	FISCAL YEAR
6	<u>NO.</u>	<u>2019-2020</u>
7	(01) U I TRUST FUND INTEREST	\$3,000,000
8	(02) LOAN INTEREST	<u>1</u>
9	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,000,001</u></u>

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11 SECTION 8. APPROPRIATION - REED ACT FUNDS. There is hereby
12 appropriated, to the Department of Workforce Services, to be payable from
13 cash funds as defined by Arkansas Code 19-4-801 of the Department of
14 Workforce Services, for construction, improvement of buildings, rent and
15 lease costs, acquisition of data processing equipment, acquisition of land,
16 payment of salaries and related benefits, maintenance and general operation
17 and for the payment of unemployment insurance benefits, or as prescribed by
18 the Social Security Act of the Department of Workforce Services - Reed Act
19 Funds for the fiscal year ending June 30, 2020, the following:

20		
21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2019-2020</u>
23	(01) REED ACT FUNDS	<u><u>\$1</u></u>

24
25 SECTION 9. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
26 BLOCK GRANT PAYING AND NEW HIRE REGISTRY. There is hereby appropriated, to
27 the Department of Workforce Services, to be payable from the paying account
28 as determined by the Chief Fiscal Officer of the State, for personal
29 services, maintenance and general operations, and grant payments by the
30 Department of Workforce Services - Temporary Assistance for Needy Families
31 Block Grant Paying and New Hire Registry for the fiscal year ending June 30,
32 2020, the following:

33		
34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2019-2020</u>
36	(01) AR TRANSITIONAL EMPLOYMENT PRGM & NEW	

1 HIRE REGISTRY-PRSN SRVS, MAINT & GEN
 2 OPRS, & GRANT PAYMENTS \$39,879,079

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 4 SECTION 10. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM.
 5 There is hereby appropriated, to the Department of Workforce Services, to be
 6 payable from the Individual Development Account Trust Fund, for Operating
 7 Expenses of the Department of Workforce Services - Individual Development
 8 Account Program for the fiscal year ending June 30, 2020, the following:

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2019-2020</u>
12 (01) MAINT. & GEN. OPERATION	
13 (A) OPER. EXPENSE	\$0
14 (B) CONF. & TRAVEL	0
15 (C) PROF. FEES	141,738
16 (D) CAP. OUTLAY	0
17 (E) DATA PROC.	<u>0</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$141,738</u>

19
 20 SECTION 11. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES - TRAINING
 21 TRUST FUND. There is hereby appropriated, to the Department of Workforce
 22 Services, to be payable from the Department of Workforce Services Training
 23 Trust Fund, for personal services, operating expenses, and grants for the
 24 Worker Training Program of the Department of Workforce Services - Training
 25 Trust Fund for the fiscal year ending June 30, 2020, the following:

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2019-2020</u>
29 (01) PERSONAL SERVICES, OPERATING EXPENSES 30 AND GRANTS	<u>\$3,256,577</u>

31
 32 SECTION 12. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES -
 33 UNEMPLOYMENT INSURANCE ADMINISTRATION FUND. There is hereby appropriated, to
 34 the Department of Workforce Services, to be payable from the Department of
 35 Workforce Services Unemployment Insurance Administration Fund, for personal
 36 services and operating expenses of the Department of Workforce Services -

1 Unemployment Insurance Administration Fund for the fiscal year ending June
2 30, 2020, the following:

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4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2019-2020</u>
6	(01) ADMINISTRATION EXPENSES	<u>\$6,000,000</u>

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8 SECTION 13. APPROPRIATION - LOANS TO LOCAL WORKFORCE DEVELOPMENT
9 BOARDS. There is hereby appropriated, to the Department of Workforce
10 Services, to be payable from cash funds as defined by Arkansas Code 19-4-801
11 of the Department of Workforce Services, for loans to local Workforce
12 Development Boards (WDB) for local WDB wire transfers by the Department of
13 Workforce Services for the fiscal year ending June 30, 2020, the following:

14		
15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2019-2020</u>
17	(01) LOANS	<u>\$1,500,000</u>

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19 SECTION 14. APPROPRIATION - WORKFORCE DEVELOPMENT GRANT. There is
20 hereby appropriated, to the Department of Workforce Services, to be payable
21 from the federal funds as designated by the Chief Fiscal Officer of the
22 State, for personal services, maintenance and general operations and grant
23 payments of the Department of Workforce Services - Workforce Development
24 Grant for the fiscal year ending June 30, 2020, the following:

25		
26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2019-2020</u>
28	(01) WORKFORCE DEVELOPMENT GRANT	<u>\$9,000,000</u>

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30 SECTION 15. APPROPRIATION - TAA VENDOR PAYMENTS. There is hereby
31 appropriated, to the Department of Workforce Services, to be payable from the
32 cash fund deposited in the State Treasury as determined by the Chief Fiscal
33 Officer of the State, for Vendor Payments of the Trade Adjustment Assistance
34 Program by the Department of Workforce Services - TAA Vendor Payments for the
35 fiscal year ending June 30, 2020, the following:

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1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2019-2020</u>
3	(01) TAA VENDOR PAYMENTS	<u>\$8,000,000</u>

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SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD - NEW HIRE REGISTRY. Any balance in the funds made available by this Act for the New Hire Registry which remain on June 30, ~~2019~~ 2020, may be carried forward into the next fiscal year, to be used for the same purpose.

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

(1) Prior to June 30, ~~2019~~ 2020 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

1 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
3 HELP. There is hereby authorized, for the Department of Workforce Services
4 for the ~~2018-2019~~ 2019-2020 fiscal year, the following maximum number of
5 part-time or temporary employees, to be known as "Extra Help", payable from
6 funds appropriated herein for such purposes: three hundred eighty (380)
7 temporary or part-time employees, when needed, at rates of pay not to exceed
8 those provided in the Uniform Classification and Compensation Act, or its
9 successor, for the appropriate classification. Any of these positions
10 utilized in a manner which are funded by federal sources are specifically
11 exempt from limitation of hours, either by Act or Regulation.

12 In order to comply with the timeliness requirements set forth by the
13 Social Security Act, the Chairman of the Board of Review is authorized to
14 utilize part-time or temporary employees from the pool of positions provided
15 to the Department of Workforce Services in any occurrence where the number of
16 appeals to the Board of Review or Appeal Tribunal increases above a level
17 that can be resolved by the permanent staff in a timely manner. The
18 Department of Workforce services will determine the appropriate funding
19 source within the Department for said positions.

20 The provisions of this section shall be in effect only from July 1, ~~2018~~
21 2019 through June 30, ~~2019~~ 2020.

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23 SECTION 18. 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 Section 903
26 of the Social Security Act, for the purpose of construction and improvement
27 of buildings, rent/lease costs, acquisition of land, the payment of salaries
28 and related benefits of central and local office staff, maintenance and
29 operation of central and local offices, payment of unemployment insurance
30 benefits, or as otherwise prescribed in Section 903 of the Social Security
31 Act, as amended.

32 The amount obligated pursuant to this Act shall not exceed the amount by
33 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, ~~2018~~
2 2019 through June 30, ~~2019~~ 2020.

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4 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
6 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 or Joint Budget
9 Committee, shall have the authority to establish such new or additional full
10 time positions as may become necessary to carry out the objectives of the
11 program and/or to meet Federal requirements of new and/or expanded programs
12 where such needs are financed by federal funds; provided that not more than
13 two hundred persons may be employed in addition to those authorized in the
14 salary schedule and that the rate of pay shall not exceed those set out in
15 the salary schedule for comparable positions as authorized under the
16 provisions of the Regular Salaries section of 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, ~~2018~~
21 2019 through June 30, ~~2019~~ 2020.

22
23 SECTION 20. 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 the Reed Act Funds appropriation section
32 of this Act, and of the appropriation made for Regular Salaries or
33 Maintenance and General Operation. Such transfers may be made whenever it
34 appears, by projecting the expenditures of any of the appropriations in this
35 Act, that there will be a deficiency of appropriation in one item and that
36 there will be a corresponding excess of appropriation in another item or

1 items which may be transferred. The transfer of appropriation shall be
2 effected only on approval of the Chief Fiscal Officer of the State. Provided,
3 however, that no transfer of appropriations may be authorized to increase the
4 total amount appropriated for Regular Salaries, or Maintenance and General
5 Operations, 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, ~~2018~~
23 2019 through June 30, ~~2019~~ 2020.

24
25 SECTION 21. 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 NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the
29 Department of Human Services (DHS) and the Director of the Department of
30 Workforce Services (DWS), the Chief Fiscal Officer of the State may approve
31 up to three million six hundred forty thousand six hundred fifty dollars
32 (\$3,640,650) each fiscal year in State General Revenue appropriated to DWS
33 for the TANF program to be transferred to the DHS - Division of County
34 Operations in support of Arkansas' TANF Programs or any related separate
35 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
2 the 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, ~~2018~~
6 2019 through June 30, ~~2019~~ 2020.

7

8 SECTION 22. 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
14 Account to be used solely for the Arkansas Better Chance Program.

15 If the state match for the Temporary Assistance for Needy Families grant
16 or the state's Temporary Assistance for Needy Families grant is reduced, the
17 amount to be transferred may be adjusted in proportion to the percentage
18 change in the state match or the state's Temporary Assistance for Needy
19 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, ~~2018~~
24 2019 through June 30, ~~2019~~ 2020.

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26 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRAINING
28 TRUST FUND TRANSFER. Immediately upon the effective date of this Act, the
29 Chief Fiscal Officer of the State shall transfer on his or her books and
30 those of the State Treasurer and the Auditor of the State the sum of two
31 million five hundred thousand dollars (\$2,500,000) from the Department of
32 Workforce Services Training Trust Fund to the Skills Development Fund.

33 The provisions of this section shall be in effect only from July 1, ~~2018~~
34 2019 through June 30, ~~2019~~ 2020.

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36 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 RESTRICTIONS ON FINANCIAL ASSISTANCE UNDER THE TEMPORARY ASSISTANCE FOR NEEDY
3 FAMILIES PROGRAM.

4 (a)(1) Determining the maximum number of employees, the maximum amount
5 of appropriation, for what purposes an appropriation is authorized, and
6 general revenue funding for a state agency each fiscal year is the
7 prerogative of the General Assembly.

8 (2) The purposes of subsection (a) of this section are typically
9 accomplished by:

10 (A) Identifying the purpose in the appropriation act;

11 (B) Delineating such maximums in the appropriation act for
12 a state agency; and

13 (C) Delineating the general revenue allocations authorized
14 for each fund and fund account by amendment to the revenue stabilization law.

15 (3) It is both necessary and appropriate that the General
16 Assembly restrict the use of appropriations authorized in this act.

17 (b)(1) Upon the request of the Governor or the General Assembly, the
18 Department of Workforce Services shall request a waiver from the federal
19 government to:

20 (A) Restrict the financial assistance granted to a
21 recipient of the Temporary Assistance for Needy Families Program or its
22 successor program to purchase goods and services that are considered
23 essential and necessary for the welfare of the family, including without
24 limitation:

25 (i) Food;

26 (ii) Clothing;

27 (iii) Housing;

28 (iv) Utilities;

29 (v) Child care; and

30 (vi) Incidentals, including without limitation
31 transportation and medicine or medical supplies or equipment not covered by
32 either the Arkansas Medicaid Program or the health benefit plan of the
33 individual; and

34 (b) Restrict the cash withdrawal from an electronic
35 benefit transfer card account that receives financial assistance under the
36 Temporary Assistance for Needy Families Program or its successor program by

1 electronic benefit transfer system.

2 (2) If the federal government denies the waiver application,
3 this section shall not be implemented.

4 (3) If the department does not request a wavier under
5 subdivision (b)(1) of this section, the department shall not allocate,
6 budget, expend, or utilize appropriations under this act for the
7 participation of persons in the Temporary Assistance for Needy Families
8 Program.

9 The provisions of this section shall be in effect only from July 1, 2018
10 2019 through June 30, ~~2019~~ 2020.

11

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

21

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

30

31 SECTION 27. EMERGENCY CLAUSE. It is found and determined by the
32 General Assembly, that the Constitution of the State of Arkansas prohibits
33 the appropriation of funds for more than a one (1) year period; that the
34 effectiveness of this Act on July 1, 2019 is essential to the operation of
35 the agency for which the appropriations in this Act are provided, and that in
36 the event of an extension of the legislative session, the delay in the

1 effective date of this Act beyond July 1, 2019 could work irreparable harm
2 upon the proper administration and provision of essential governmental
3 programs. Therefore, an emergency is hereby declared to exist and this Act
4 being necessary for the immediate preservation of the public peace, health
5 and safety shall be in full force and effect from and after July 1, 2019.

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7
8 */s/Joint Budget Committee*

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11 **APPROVED: 3/7/19**
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