

1 State of Arkansas As Engrossed: S3/6/23 S4/3/23

2 94th General Assembly

# A Bill

3 Regular Session, 2023

SENATE BILL 33

4

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 COMMERCE

10

- DIVISION OF WORKFORCE SERVICES FOR THE FISCAL YEAR

11

ENDING JUNE 30, 2024; AND FOR OTHER PURPOSES.

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14

## Subtitle

15

AN ACT FOR THE DEPARTMENT OF COMMERCE -

16

DIVISION OF WORKFORCE SERVICES

17

APPROPRIATION FOR THE 2023-2024 FISCAL

18

YEAR.

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

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23

SECTION 1. REGULAR SALARIES. There is hereby established for the

24

Department of Commerce - Division of Workforce Services for the 2023-2024

25

fiscal year, the following maximum number of regular employees.

26

27

Maximum Annual

28

Maximum

Salary Rate

29

Item Class

No. of

Fiscal Year

30

No. Code Title

Employees

2023-2024

31

(1) U037U ACOM DWS DIRECTOR

1

GRADE SE03

32

(2) U065U ACOM DEPUTY DIRECTOR

1

GRADE SE01

33

(3) U070U ACOM DWS DEPUTY DIRECTOR

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GRADE SE01

34

(4) U036U AR APPEALS TRIBUNAL CHAIRMAN

1

GRADE SE01

35

(5) U076U DWS WORKFORCE INVESTMENT DIRECTOR

1

GRADE SE01

36

(6) D002N STATE DATABASE ADMINISTRATOR LEAD

2

GRADE IT11



1	(7)	D006N STATE SYSTEMS ARCHITECT	1	GRADE IT10
2	(8)	D007C INFORMATION SYSTEMS MANAGER	4	GRADE IT08
3	(9)	D017C INFORMATION SYSTEMS SECURITY SPECIALIST	1	GRADE IT07
4	(10)	D038C SENIOR SOFTWARE SUPPORT ANALYST	16	GRADE IT06
5	(11)	D022C SYSTEMS SPECIALIST	2	GRADE IT06
6	(12)	D061C INFORMATION SYSTEMS COORDINATION SPEC	2	GRADE IT05
7	(13)	D052C SOFTWARE SUPPORT ANALYST	7	GRADE IT05
8	(14)	D062C DATABASE ANALYST	1	GRADE IT04
9	(15)	D071C COMPUTER SUPPORT ANALYST	2	GRADE IT03
10	(16)	A139C CHIEF FISCAL OFFICER	1	GRADE GS15
11	(17)	G007N ACOM DWS GENERAL COUNSEL	1	GRADE GS14
12	(18)	G017N ACOM DWS ASST DIR - TANF	1	GRADE GS13
13	(19)	N051N ACOM DWS ASST DIR, EMPLOYMENT ASSIST	1	GRADE GS13
14	(20)	N050N ACOM DWS ASST DIR, FINANCIAL MANAGEMENT	1	GRADE GS13
15	(21)	N049N ACOM DWS ASST DIR, INFO AND TECHNOLOGY	1	GRADE GS13
16	(22)	N074N ACOM DWS ASST DIR, UNEMPLOYMENT INS	1	GRADE GS13
17	(23)	G004C MANAGING ATTORNEY	1	GRADE GS13
18	(24)	G010C ACOM DIVISION MANAGER	2	GRADE GS12
19	(25)	G016N ACOM DWS ASST DIR GRANTS RESOURCE ADM	1	GRADE GS12
20	(26)	A015C ACOM DWS DIR INTERNAL AUDIT & SECURITY	1	GRADE GS12
21	(27)	P007N ACOM DWS DIRECTOR OF COMMUNICATIONS	1	GRADE GS12
22	(28)	G020C ACOM DWS PROGRAM ADMINISTRATOR	3	GRADE GS12
23	(29)	A021C AGENCY CONTROLLER I	1	GRADE GS12
24	(30)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
25	(31)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
26	(32)	A031C ASSISTANT CONTROLLER	3	GRADE GS11
27	(33)	G047C ATTORNEY SPECIALIST	4	GRADE GS11
28	(34)	G068C ACOM DWS AREA OPERATIONS CHIEF	6	GRADE GS10
29	(35)	E074C ACOM PROGRAM COORDINATOR	2	GRADE GS10
30	(36)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
31	(37)	G073C ATTORNEY	11	GRADE GS10
32	(38)	A044C AUDIT COORDINATOR	1	GRADE GS10
33	(39)	G288C ACOM DWS DIVISION MANAGER	4	GRADE GS09
34	(40)	R015C ACOM DWS EQUAL OPPORTUNITY MANAGER	1	GRADE GS09
35	(41)	G243C ACOM DWS FIELD MANAGER III	2	GRADE GS09
36	(42)	G110C ACOM DWS PROGRAM MANAGER	13	GRADE GS09

1	(43)	E075C ACOM PROGRAM ADVISOR	9	GRADE GS09
2	(44)	R019C BUDGET MANAGER	1	GRADE GS09
3	(45)	G109C GRANTS MANAGER	2	GRADE GS09
4	(46)	A082C ACCOUNTANT II	1	GRADE GS08
5	(47)	G081C ACOM DWS DIVISION CHIEF	1	GRADE GS08
6	(48)	G128C ACOM DWS FIELD MANAGER II	17	GRADE GS08
7	(49)	G127C ACOM DWS PROGRAM OPERATIONS MANAGER	35	GRADE GS08
8	(50)	G114C ACOM DWS WORKFORCE INVEST REG ADVISOR	2	GRADE GS08
9	(51)	R021C BUDGET ANALYST	1	GRADE GS08
10	(52)	A066C INTERNAL AUDITOR	3	GRADE GS08
11	(53)	R014C PERSONNEL MANAGER	1	GRADE GS08
12	(54)	V007C PROCUREMENT COORDINATOR	1	GRADE GS08
13	(55)	A041C PROGRAM FISCAL MANAGER	1	GRADE GS08
14	(56)	A060C SENIOR AUDITOR	6	GRADE GS08
15	(57)	A089C ACCOUNTANT I	4	GRADE GS07
16	(58)	G149C ACOM DWS FIELD MANAGER I	15	GRADE GS07
17	(59)	G181C ACOM DWS PROGRAM MONITOR	46	GRADE GS07
18	(60)	G209C ACOM DWS PROGRAM SUPERVISOR	41	GRADE GS07
19	(61)	G196C ACOM DWS SATELLITE OFFICE SUPERVISOR	7	GRADE GS07
20	(62)	A085C ACOM DWS SR FIELD TAX REPRESENTATIVE	3	GRADE GS07
21	(63)	G138C AGENCY ADMINISTRATIVE REVIEW OFFICER	10	GRADE GS07
22	(64)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
23	(65)	A081C AUDITOR	7	GRADE GS07
24	(66)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	3	GRADE GS07
25	(67)	A075C FINANCIAL ANALYST I	2	GRADE GS07
26	(68)	S017C MAINTENANCE COORDINATOR	1	GRADE GS07
27	(69)	A065C PAYROLL SERVICES COORDINATOR	1	GRADE GS07
28	(70)	A073C PROGRAM/FIELD AUDITOR SUPERVISOR	2	GRADE GS07
29	(71)	X047C REAL ESTATE MANAGER	1	GRADE GS07
30	(72)	E040C STAFF DEVELOPMENT COORDINATOR	2	GRADE GS07
31	(73)	A092C ACOM DWS FIELD TAX REP	17	GRADE GS06
32	(74)	C032C ACOM DWS UI CLAIM TECHNICIAN	18	GRADE GS06
33	(75)	X139C ACOM DWS UI INVESTIGATOR	12	GRADE GS06
34	(76)	G217C ACOM DWS WORKFORCE SPECIALIST	390	GRADE GS06
35	(77)	C037C ADMINISTRATIVE ANALYST	27	GRADE GS06
36	(78)	R027C BUDGET SPECIALIST	7	GRADE GS06

1	(79)	A074C FISCAL SUPPORT SUPERVISOR	7	GRADE GS06
2	(80)	G180C GRANTS ANALYST	1	GRADE GS06
3	(81)	R025C HUMAN RESOURCES ANALYST	2	GRADE GS06
4	(82)	G179C LEGAL SERVICES SPECIALIST	2	GRADE GS06
5	(83)	S033C MAINTENANCE SUPERVISOR	3	GRADE GS06
6	(84)	A084C PROGRAM/FIELD AUDIT SPECIALIST	7	GRADE GS06
7	(85)	B076C RESEARCH PROJECT ANALYST	12	GRADE GS06
8	(86)	E046C TRAINING INSTRUCTOR	18	GRADE GS06
9	(87)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	4	GRADE GS05
10	(88)	V014C BUYER	3	GRADE GS05
11	(89)	G220C DWS UNIT SUPERVISOR	5	GRADE GS05
12	(90)	A091C FISCAL SUPPORT ANALYST	19	GRADE GS05
13	(91)	S032C PRINT SHOP SUPERVISOR	1	GRADE GS05
14	(92)	V015C PURCHASING SPECIALIST	1	GRADE GS05
15	(93)	S031C SKILLED TRADESMAN	1	GRADE GS05
16	(94)	C056C ADMINISTRATIVE SPECIALIST III	16	GRADE GS04
17	(95)	A098C FISCAL SUPPORT SPECIALIST	18	GRADE GS04
18	(96)	R036C HUMAN RESOURCES SPECIALIST	6	GRADE GS04
19	(97)	C046C LEGAL SUPPORT SPECIALIST	19	GRADE GS04
20	(98)	S046C MAINTENANCE TECHNICIAN	1	GRADE GS04
21	(99)	V022C PURCHASING TECHNICIAN	1	GRADE GS04
22	(100)	V023C STOREROOM SUPERVISOR	1	GRADE GS04
23	(101)	X183C ACOM DWS CLAIMS ADJUDICATOR	8	GRADE GS03
24	(102)	C073C ADMINISTRATIVE SPECIALIST II	11	GRADE GS03
25	(103)	S081C APPRENTICE TRADESMAN	1	GRADE GS03
26	(104)	S054C PRINTER	1	GRADE GS03
27	(105)	C087C ADMINISTRATIVE SPECIALIST I	<u>9</u>	GRADE GS02
28		MAX. NO. OF EMPLOYEES	987	

29

30 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 31 to the Department of Commerce, to be payable from the Division of Workforce  
 32 Services Trust Fund, for personal services and operating expenses of the  
 33 Department of Commerce - Division of Workforce Services - Operations for the  
 34 fiscal year ending June 30, 2024, the following:

35

36 ITEM FISCAL YEAR

1	<u>NO.</u>	<u>2023-2024</u>
2	(01) REGULAR SALARIES	\$40,346,124
3	(02) EXTRA HELP	3,850,222
4	(03) PERSONAL SERVICES MATCHING	16,133,773
5	(04) OVERTIME	1,060,000
6	(05) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	19,335,741
8	(B) CONF. & TRAVEL	705,440
9	(C) PROF. FEES	3,000,000
10	(D) CAP. OUTLAY	0
11	(E) DATA PROC.	<u>0</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$84,431,300</u></u>

13

14 SECTION 3. APPROPRIATION - UNEMPLOYMENT BENEFITS AND EXPENSES - CASH.  
 15 There is hereby appropriated, to the Department of Commerce, to be payable  
 16 from cash funds as defined by Arkansas Code 19-4-801, for unemployment  
 17 benefit payments and other expenses including disaster relief payments,  
 18 training allowances, payments to participant contractors and Unemployment  
 19 Insurance Trust Fund loan repayments by the Department of Commerce - Division  
 20 of Workforce Services - Unemployment Benefits and Expenses - Cash for the  
 21 fiscal year ending June 30, 2024, the following:

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2023-2024</u>
24	(01) DISASTER RELIEF PAYMENTS	\$4,000,000
25	(02) FEDERALLY PAID BENEFITS PAYMENTS	1,000,000,000
26	(03) U I BENEFITS - REIMBURSABLE EMPLOYERS	20,000,000
27	(04) U I BENEFITS - TAXABLE EMPLOYERS	1,000,000,000
28	(05) TRAINING ALLOWANCES	4,000,000
29	(06) PAYMENTS TO PART CONTRACTORS	150,000
30	(07) UI ADVANCE REPAYMENT	<u>1</u>
31	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,028,150,001</u></u>

32

33 SECTION 4. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby  
 34 appropriated, to the Department of Commerce, to be payable from the Division  
 35 of Workforce Services Special Fund, for payment of the annual assessment to  
 36 maintain voting member rights in the National Association of Workforce

1 Agencies by the Department of Commerce - Division of Workforce Services -  
2 Annual Assessments for the fiscal year ending June 30, 2024, the following:

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2023-2024</u>
6 (01) ANNUAL ASSESSMENT	<u>\$26,000</u>

7  
8 SECTION 5. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.

9 There is hereby appropriated, to the Department of Commerce, to be payable  
10 from the Division of Workforce Services Special Fund, for construction,  
11 personal services and matching, maintenance and general operating expenses  
12 for the Administration Building and all other agency owned buildings,  
13 building and land acquisition, rent of buildings, and payment of unemployment  
14 benefits and expenses incurred by the Department of Commerce - Division of  
15 Workforce Services in the administration of the Division of Workforce  
16 Services Law, the Temporary Assistance for Needy Families Program, the  
17 Arkansas Workforce Innovation and Opportunity Act and the Arkansas Works Act  
18 of 2016, or their successor programs and any other programs transferred under  
19 the direction and supervision of the Division of Workforce Services, when  
20 such expenses exceed funds available from other sources by the Department of  
21 Commerce - Division of Workforce Services - Excess Unemployment Benefits and  
22 Expenses for the fiscal year ending June 30, 2024, the following:

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2023-2024</u>
26 (01) CONSTRUCTION	\$0
27 (02) RENT OF BUILDINGS	0
28 (03) PAYMENT/EXPENSES	<u>10,000,000</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$10,000,000</u>

30  
31 SECTION 6. APPROPRIATION - WORKFORCE INNOVATION AND OPPORTUNITY ACT.

32 There is hereby appropriated, to the Department of Commerce, to be payable  
33 from the federal funds as designated by the Chief Fiscal Officer of the  
34 State, for grant payments of the Workforce Innovation and Opportunity Act by  
35 the Department of Commerce - Division of Workforce Services - Workforce  
36 Innovation and Opportunity Act for the fiscal year ending June 30, 2024, the

1 following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2023-2024</u>
5 (01) WORKFORCE INNOVATION AND OPPORTUNITY	
6 ACT PAYMENTS	<u>\$40,000,000</u>

7

8 SECTION 7. APPROPRIATION - U I TRUST FUND INTEREST/UNEMPLOYMENT

9 INSURANCE. There is hereby appropriated, to the Department of Commerce, to  
10 be payable from the Employment Security Advance Interest Trust Fund, for  
11 paying interest incurred by the state on advances from the Federal  
12 Unemployment Trust Fund, making refunds of advance interest taxes or interest  
13 and penalty payments which were erroneously paid, and returning moneys to the  
14 Unemployment Compensation Fund Clearing Account which were incorrectly  
15 identified and erroneously transferred, if needed by the Department of  
16 Commerce - Division of Workforce Services - UI Trust Fund  
17 Interest/Unemployment Insurance for the fiscal year ending June 30, 2024, the  
18 following:

19

20 ITEM	FISCAL YEAR
21 <u>NO.</u>	<u>2023-2024</u>
22 (01) U I TRUST FUND INTEREST	\$3,000,000
23 (02) LOAN INTEREST	<u>1</u>
24 TOTAL AMOUNT APPROPRIATED	<u>\$3,000,001</u>

25

26 SECTION 8. APPROPRIATION - REED ACT FUNDS. There is hereby  
27 appropriated, to the Department of Commerce, to be payable from cash funds as  
28 defined by Arkansas Code 19-4-801, for construction, improvement of  
29 buildings, rent and lease costs, acquisition of data processing equipment,  
30 acquisition of land, payment of salaries and related benefits, maintenance  
31 and general operation and for the payment of unemployment insurance benefits  
32 or as prescribed by the Social Security Act by of the Department of Commerce  
33 - Division of Workforce Services - Reed Act Funds for the fiscal year ending  
34 June 30, 2024, the following:

35 ITEM	FISCAL YEAR
36 <u>NO.</u>	<u>2023-2024</u>

1 (01) REED ACT FUNDS \$1

2

3 SECTION 9. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

4 BLOCK GRANT PAYING AND NEW HIRE REGISTRY. There is hereby appropriated, to

5 the Department of Commerce, to be payable from the paying account as

6 determined by the Chief Fiscal Officer of the State, for personal services,

7 maintenance and general operations, and grant payments by the Department of

8 Commerce - Division of Workforce Services - Temporary Assistance for Needy

9 Families Block Grant Paying and New Hire Registry for the fiscal year ending

10 June 30, 2024, the following:

11

12 ITEM FISCAL YEAR

13 NO. 2023-2024

14 (01) AR TRANSITIONAL EMPLOYMENT PROGRAM

15 & NEW HIRE REGISTRY-PERSONAL SERVICES,

16 MAINTENANCE & GENERAL OPERATIONS, &

17 GRANT PROGRAM \$43,814,962

18

19 SECTION 10. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM.

20 There is hereby appropriated, to the Department of Commerce, to be payable

21 from the Individual Development Account Trust Fund, for operating expenses of

22 the Department of Commerce - Division of Workforce Services - Individual

23 Development Account Program for the fiscal year ending June 30, 2024, the

24 following:

25

26 ITEM FISCAL YEAR

27 NO. 2023-2024

28 (01) MAINT. & GEN. OPERATION

29 (A) OPER. EXPENSE \$0

30 (B) CONF. & TRAVEL 0

31 (C) PROF. FEES 141,738

32 (D) CAP. OUTLAY 0

33 (E) DATA PROC. 0

34 TOTAL AMOUNT APPROPRIATED \$141,738

35

36 SECTION 11. APPROPRIATION - DIVISION OF WORKFORCE SERVICES - TRAINING



1 TRUST FUND. There is hereby appropriated, to the Department of Commerce, to  
 2 be payable from the Division of Workforce Services Training Trust Fund, for  
 3 personal services, operating expenses, and grants for the Worker Training  
 4 Program of the Department of Commerce - Division of Workforce Services -  
 5 Training Trust Fund for the fiscal year ending June 30, 2024, the following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2023-2024</u>
9 (01) PERSONAL SERVICES, OPERATING EXPENSES	
10 AND GRANTS	<u>\$3,256,577</u>

11

12 SECTION 12. APPROPRIATION - DIVISION OF WORKFORCE SERVICES -  
 13 UNEMPLOYMENT INSURANCE ADMINISTRATION FUND. There is hereby appropriated, to  
 14 the Department of Commerce, to be payable from the Division of Workforce  
 15 Services Unemployment Insurance Administration Fund, for personal services  
 16 and operating expenses of the Department of Commerce - Division of Workforce  
 17 Services - Unemployment Insurance Administration Fund for the fiscal year  
 18 ending June 30, 2024, the following:

19

20 ITEM	FISCAL YEAR
21 <u>NO.</u>	<u>2023-2024</u>
22 (01) ADMINISTRATION EXPENSES	<u>\$6,000,000</u>

23

24 SECTION 13. APPROPRIATION - LOANS TO LOCAL WORKFORCE DEVELOPMENT  
 25 BOARDS. There is hereby appropriated, to the Department of Commerce, to be  
 26 payable from cash funds as defined by Arkansas Code 19-4-801, for loans to  
 27 local Workforce Development Boards (WDB) for local WDB wire transfers by the  
 28 Department of Commerce - Division of Workforce Services for the fiscal year  
 29 ending June 30, 2024, the following:

30 ITEM	FISCAL YEAR
31 <u>NO.</u>	<u>2023-2024</u>
32 (01) LOANS	<u>\$1,500,000</u>

33

34 SECTION 14. APPROPRIATION - TRADE ADJUSTMENT ASSISTANCE PROGRAM. There  
 35 is hereby appropriated, to the Department of Commerce, to be payable from the  
 36 cash fund deposited in the State Treasury as determined by the Chief Fiscal

1 Officer of the State, for Payments of the Trade Adjustment Assistance Program  
 2 by the Department of Commerce - Division of Workforce Services - Trade  
 3 Adjustment Assistance Program for the fiscal year ending June 30, 2024, the  
 4 following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2023-2024</u>
8 (01) RTA/ATAA PAYMENTS	\$100,000
9 (02) TAA SUPPORTIVE SERVICES	100,000
10 (03) TAA VENDOR PAYMENTS	<u>7,850,000</u>
11 TOTAL AMOUNT APPROPRIATED	<u><u>\$8,050,000</u></u>

12  
 13 SECTION 15. APPROPRIATION - ADULT EDUCATION ADMINISTRATION -  
 14 OPERATIONS. There is hereby appropriated, to the Department of Commerce, to  
 15 be payable from the Division of Workforce Services Fund, for personal  
 16 services and operating expenses of the Department of Commerce - Division of  
 17 Workforce Services - Adult Education Administration - Operations for the  
 18 fiscal year ending June 30, 2024, the following:

20 ITEM	FISCAL YEAR
21 <u>NO.</u>	<u>2023-2024</u>
22 (01) REGULAR SALARIES	811,143
23 (02) EXTRA HELP	7,000
24 (03) PERSONAL SERVICES MATCHING	278,010
25 (04) MAINT. & GEN. OPERATION	
26 (A) OPER. EXPENSE	190,000
27 (B) CONF. & TRAVEL	10,500
28 (C) PROF. FEES	0
29 (D) CAP. OUTLAY	0
30 (E) DATA PROC.	<u>0</u>
31 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,296,653</u></u>

32  
 33 SECTION 16. APPROPRIATION - ADULT BASIC EDUCATION. There is hereby  
 34 appropriated, to the Department of Commerce, to be payable from the Division  
 35 of Workforce Services Fund, for personal services and operating expenses of  
 36 the Department of Commerce - Division of Workforce Services - Adult Basic

1 Education for the fiscal year ending June 30, 2024, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2023-2024</u>
5 (01) REGULAR SALARIES	\$417,636
6 (02) PERSONAL SERVICES MATCHING	146,337
7 (03) MAINT. & GEN. OPERATION	
8 (A) OPER. EXPENSE	24,507
9 (B) CONF. & TRAVEL	0
10 (C) PROF. FEES	0
11 (D) CAP. OUTLAY	0
12 (E) DATA PROC.	<u>0</u>
13 TOTAL AMOUNT APPROPRIATED	<u><u>\$588,480</u></u>

14

15 SECTION 17. APPROPRIATION - FEDERAL ADULT BASIC EDUCATION. There is  
 16 hereby appropriated, to the Department of Commerce, to be payable from the  
 17 federal funds as designated by the Chief Fiscal Officer of the State, for  
 18 personal services, operating expenses and grants by the Department of  
 19 Commerce - Division of Workforce Services - Federal Adult Basic Education for  
 20 the fiscal year ending June 30, 2024, the following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2023-2024</u>
24 (01) REGULAR SALARIES	\$460,123
25 (02) PERSONAL SERVICES MATCHING	157,836
26 (03) MAINT. & GEN. OPERATION	
27 (A) OPER. EXPENSE	132,467
28 (B) CONF. & TRAVEL	50,200
29 (C) PROF. FEES	9,000
30 (D) CAP. OUTLAY	0
31 (E) DATA PROC.	0
32 (04) ADULT BASIC EDUCATION GRANTS	<u>10,369,442</u>
33 TOTAL AMOUNT APPROPRIATED	<u><u>\$11,179,068</u></u>

34

35 SECTION 18. APPROPRIATION - GOVERNOR'S COMMISSION ON ADULT LITERACY.  
 36 There is hereby appropriated, to the Department of Commerce, to be payable

1 from the Division of Career and Technical Education Public School Fund  
 2 Account, for personal services, operating expenses and grants by the  
 3 Department of Commerce - Division of Workforce Services - Governor's  
 4 Commission on Adult Literacy for the fiscal year ending June 30, 2024, the  
 5 following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2023-2024</u>
9 (01) REGULAR SALARIES	\$28,445
10 (02) PERSONAL SERVICES MATCHING	9,335
11 (03) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	52,242
13 (B) CONF. & TRAVEL	6,005
14 (C) PROF. FEES	0
15 (D) CAP. OUTLAY	0
16 (E) DATA PROC.	0
17 (04) GRANTS TO LITERACY COUNCILS	<u>1,000,000</u>
18 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,096,027</u></u>

19  
 20 SECTION 19. APPROPRIATION - ADULT BASIC AND GENERAL EDUCATION. There  
 21 is hereby appropriated, to the Department of Commerce, to be payable from the  
 22 Division of Career and Technical Education Public School Fund Account, for  
 23 Adult Basic and General Adult Education grants and aid by the Department of  
 24 Commerce - Division of Workforce Services - Adult Basic and General Education  
 25 for the fiscal year ending June 30, 2024, the following:

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2023-2024</u>
29 (01) ADULT BASIC & GENERAL ADULT EDUCATION	<u><u>\$22,770,569</u></u>

30  
 31 SECTION 20. APPROPRIATION - GED TESTING. There is hereby appropriated,  
 32 to the Department of Commerce, to be payable from the Division of Career and  
 33 Technical Education Public School Fund Account, for the cost of individuals  
 34 taking the General Education Development (GED) test and official practice  
 35 test of the Department of Commerce - Division of Workforce Services - GED  
 36 Testing for the fiscal year ending June 30, 2024, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2023-2024</u>
(01) GED TEST COSTS	<u>\$350,000</u>

SECTION 21. 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, ~~2023~~ 2024, 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, ~~2023~~ 2024 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, ~~2022~~

1 2023 through June 30, ~~2023~~ 2024.

2

3 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
5 HELP. There is hereby authorized, for the Division of Workforce Services for  
6 the ~~2022-2023~~ 2023-2024 fiscal year, the following maximum number of part-  
7 time or temporary employees, to be known as "Extra Help", payable from funds  
8 appropriated herein for such purposes: four hundred thirty three (433)  
9 temporary or part-time employees, when needed, at rates of pay not to exceed  
10 those provided in the Uniform Classification and Compensation Act, or its  
11 successor, for the appropriate classification. Any of these positions  
12 utilized in a manner which are funded by federal sources are specifically  
13 exempt from limitation of hours, either by Act or Regulation.

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

22 The provisions of this section shall be in effect only from July 1, ~~2022~~  
23 2023 through June 30, ~~2023~~ 2024.

24

25 SECTION 23. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 11,  
26 Chapter 10, Subchapter 1, is amended to add an additional section and to  
27 codify special language in appropriation acts to read as follows:

28 11-10-112. Use of certain federal funds.

29 (a) Conditioned upon the availability of federal funding provided  
30 under Section 209 of the Temporary Extended Unemployment Compensation Act of  
31 2002; Title II of the Job Creation and Worker Assistance Act of 2002, Pub. L.  
32 No. 107-147; Title IX of the Social Security Act, 42 U.S.C. § 1103; the  
33 Federal Unemployment Tax Act, 26 U.S.C. § 3301; or the Unemployment Insurance  
34 Program Letter 39-97 (62 Fed. Reg. 63960 (December 3, 1997), UIPL 39-97,  
35 Change 1 (January 16, 2002), and UIPL 20-02 (April 4, 2002)); or their  
36 successors, the Director of the Arkansas Division of Workforce Services may

1 accept "Reed Act" distributions for the following purposes, including without  
2 limitation:

3 (1) Construction and improvement of buildings;

4 (2) Rental or lease costs;

5 (3) The acquisition of land;

6 (4) Payment of salaries and related benefits of central and  
7 local office staff of the Division of Workforce Services;

8 (5) Maintenance and operation of central and local offices of  
9 the Division of Workforce Services;

10 (6) Payment of unemployment insurance benefits; or

11 (7) Other allowable uses as provided by federal law.

12 (b) Funding obligated under this section shall not exceed the amount  
13 by which the aggregate of the amounts transferred to the account of this  
14 state under federal law exceeds the aggregate of the amounts used by this  
15 state and charged against the amounts transferred to the account of this  
16 state.

17  
18 SECTION 24. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 11-10-  
19 310, concerning the duties of the Director of the Division of Workforce  
20 Services and personnel, is amended to add additional subsections to codify  
21 special language in appropriation acts to read as follows:

22 (e) The director may establish new or additional full-time positions  
23 if:

24 (1) The new or additional full-time positions are necessary to:

25 (A) Carry out the objectives of the Division of Workforce  
26 Services' programs; or

27 (B) Meet federal requirements of new or expanded programs  
28 when such needs are financed by federal funds;

29 (2) The director receives the approval of the Office of  
30 Personnel Management;

31 (3) Prior to establishing the new or additional full-time  
32 positions, the director shall seek approval by the Legislative Council, or if  
33 the General Assembly is in session, the Joint Budget Committee;

34 (4) The director authorizes the employment of no more than two  
35 hundred (200) persons in new or additional full-time positions in addition to  
36 those positions authorized in the salary schedule; and

1           (5) The rate of pay for the new or additional full-time  
2 positions does not exceed those set out in the salary schedule for comparable  
3 positions as authorized under the regular salaries section of the division's  
4 appropriation act.

5           (f) If the division requests continuation of a growth pool position as  
6 established under this section, the position shall be requested as a new  
7 position in the division's next budget request.

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

25  
26           SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

28 TRANSFER OF APPROPRIATION. Subject to such rules and regulations as may be  
29 implemented by the Chief Fiscal Officer of the State and after having sought  
30 the prior approval by the Arkansas Legislative Council or Joint Budget  
31 Committee, the Director of the Division of Workforce Services is hereby  
32 authorized to make transfers from any appropriation made by this Act to any  
33 other appropriation made by this Act with the exception of the "Reed Act  
34 Funds" appropriations set forth in the Reed Act Funds appropriation section  
35 of this Act, and of the appropriation made for Regular Salaries or  
36 Maintenance and General Operation. Such transfers may be made whenever it



1 appears, by projecting the expenditures of any of the appropriations in this  
2 Act, that there will be a deficiency of appropriation in one item and that  
3 there will be a corresponding excess of appropriation in another item or  
4 items which may be transferred. The transfer of appropriation shall be  
5 effected only on approval of the Chief Fiscal Officer of the State. Provided,  
6 however, that no transfer of appropriations may be authorized to increase the  
7 total amount appropriated for Regular Salaries, or Maintenance and General  
8 Operations, except as may be authorized elsewhere by law.

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

25 The provisions of this section shall be in effect only from July 1, ~~2022~~  
26 2023 through June 30, ~~2023~~ 2024.

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

1 Operations in support of Arkansas' TANF Programs or any related separate  
2 state programs.

3 The Director of the Division of Workforce Services shall provide a report  
4 of all transfers made to the DHS - Division of County Operations to the  
5 Performance Evaluation and Expenditure Review Committee of the Arkansas  
6 Legislative Council and Joint Budget Committee. The report must include the  
7 justification for and the amount of the completed transfers.

8 The provisions of this section shall be in effect only from July 1, ~~2022~~  
9 2023 through June 30, ~~2023~~ 2024.

10

11 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
13 OF TANF BLOCK GRANT FUNDS. Each fiscal year, the Division of Workforce  
14 Services shall transfer the sum of seven million five hundred thousand  
15 dollars (\$7,500,000) from the state's federal Temporary Assistance for Needy  
16 Families block grant to the Department of Education Division of Elementary  
17 and Secondary Education Public School Fund Account to be used solely for the  
18 Arkansas Better Chance Program.

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

27 The provisions of this section shall be in effect only from July 1, ~~2022~~  
28 2023 through June 30, ~~2023~~ 2024.

29

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

1 The provisions of this section shall be in effect only from July 1, ~~2022~~  
2 2023 through June 30, ~~2023~~ 2024.

3  
4 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
6 RESTRICTIONS ON FINANCIAL ASSISTANCE UNDER THE TEMPORARY ASSISTANCE FOR NEEDY  
7 FAMILIES PROGRAM.

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

12 (2) The purposes of subsection (a) of this section are typically  
13 accomplished by:

14 (A) Identifying the purpose in the appropriation act;  
15 (B) Delineating such maximums in the appropriation act for  
16 a state agency; and

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

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

21 (b)(1) Upon the request of the Governor or the General Assembly, the  
22 Division of Workforce Services shall request a waiver from the federal  
23 government to:

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

29 (i) Food;  
30 (ii) Clothing;  
31 (iii) Housing;  
32 (iv) Utilities;  
33 (v) Child care; and  
34 (vi) Incidentals, including without limitation  
35 transportation and medicine or medical supplies or equipment not covered by  
36 either the Arkansas Medicaid Program or the health benefit plan of the

1 individual; and

2 (b) Restrict the cash withdrawal from an electronic  
3 benefit transfer card account that receives financial assistance under the  
4 Temporary Assistance for Needy Families Program or its successor program by  
5 electronic benefit transfer system.

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

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

12 The provisions of this section shall be in effect only from July 1, ~~2022~~  
13 2023 through June 30, ~~2023~~ 2024.

14

15 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEDERAL  
17 MATCHING. The funds appropriated in Sections for Adult Basic and General  
18 Adult Education of this Act may also be used to match any available federal  
19 funds from any agency in order to provide the maximum amount of money  
20 possible for the purposes enumerated in such Section.

21 The provisions of this section shall be in effect only from July 1, ~~2022~~  
22 2023 through June 30, ~~2023~~ 2024.

23

24 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADULT  
26 EDUCATION DISTRIBUTION. All funds that become available for Adult Education  
27 shall be distributed to those administrative units determined to be operating  
28 efficient adult education programs, under criteria established by the  
29 Division of Workforce Services. The criteria shall include the relative  
30 efficiency of administration of the program in the counties served and  
31 achievement of federal performance indicators. The Division of Workforce  
32 Services shall promulgate rules and regulations for the distribution of funds  
33 in accordance with criteria to be determined by the Board. In the  
34 distribution of funds to local units the Board shall consider performance in  
35 meeting state and federal performance indicators. Unallocated funds will be  
36 redistributed based upon need as determined by the Division of Workforce

1 Services.

2 The provisions of this section shall be in effect only from July 1, ~~2022~~  
3 2023 through June 30, ~~2023~~ 2024.

4  
5 SECTION 32. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
6 authorized by this act shall be limited to the appropriation for such agency  
7 and funds made available by law for the support of such appropriations; and  
8 the restrictions of the State Procurement Law, the General Accounting and  
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
10 Procedures and Restrictions Act, or their successors, and other fiscal  
11 control laws of this State, where applicable, and regulations promulgated by  
12 the Department of Finance and Administration, as authorized by law, shall be  
13 strictly complied with in disbursement of said funds.

14  
15 SECTION 33. LEGISLATIVE INTENT. It is the intent of the General  
16 Assembly that any funds disbursed under the authority of the appropriations  
17 contained in this act shall be in compliance with the stated reasons for  
18 which this act was adopted, as evidenced by the Agency Requests, Executive  
19 Recommendations and Legislative Recommendations contained in the budget  
20 manuals prepared by the Department of Finance and Administration, letters, or  
21 summarized oral testimony in the official minutes of the Arkansas Legislative  
22 Council or Joint Budget Committee which relate to its passage and adoption.

23  
24 SECTION 34. EMERGENCY CLAUSE. It is found and determined by the  
25 General Assembly, that the Constitution of the State of Arkansas prohibits  
26 the appropriation of funds for more than a one (1) year period; that the  
27 effectiveness of this Act on July 1, 2023 is essential to the operation of  
28 the agency for which the appropriations in this Act are provided, and that in  
29 the event of an extension of the legislative session, the delay in the  
30 effective date of this Act beyond July 1, 2023 could work irreparable harm  
31 upon the proper administration and provision of essential governmental  
32 programs. Therefore, an emergency is hereby declared to exist and this Act  
33 being necessary for the immediate preservation of the public peace, health  
34 and safety shall be in full force and effect from and after July 1, 2023.

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**APPROVED: 4/11/23**