

1 State of Arkansas
2 93rd General Assembly
3 Fiscal Session, 2022
4

As Engrossed: S2/22/22

A Bill

SENATE BILL 49

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 COMMERCE
10 - DIVISION OF WORKFORCE SERVICES FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2023; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMERCE -
15 DIVISION OF WORKFORCE SERVICES
16 APPROPRIATION FOR THE 2022-2023 FISCAL
17 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 2022-2023
25 fiscal year, the following maximum number of regular employees.
26

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2022-2023
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	2	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	1	GRADE IT11



1	(7)	D007C INFORMATION SYSTEMS MANAGER	3	GRADE IT08
2	(8)	D017C INFORMATION SYS SECURITY SPECIALIST	1	GRADE IT07
3	(9)	D038C SENIOR SOFTWARE SUPPORT ANALYST	16	GRADE IT06
4	(10)	D022C SYSTEMS SPECIALIST	2	GRADE IT06
5	(11)	D061C INFORMATION SYSTEMS COORD SPECIALIST	2	GRADE IT05
6	(12)	D052C SOFTWARE SUPPORT ANALYST	7	GRADE IT05
7	(13)	D062C DATABASE ANALYST	1	GRADE IT04
8	(14)	D071C COMPUTER SUPPORT ANALYST	2	GRADE IT03
9	(15)	G007N ACOM DWS GENERAL COUNSEL	1	GRADE GS14
10	(16)	G017N ACOM DWS ASST DIR - TANF	1	GRADE GS13
11	(17)	N051N ACOM DWS ASST DIR, EMPLOYMENT ASSIST	1	GRADE GS13
12	(18)	N050N ACOM DWS ASST DIR, FIN MANAGEMENT	1	GRADE GS13
13	(19)	N049N ACOM DWS ASST DIR, INFO AND TECH	1	GRADE GS13
14	(20)	N074N ACOM DWS ASST DIR, UNEMPLOYMENT INS	1	GRADE GS13
15	(21)	G010C ACOM DIVISION MANAGER	2	GRADE GS12
16	(22)	G016N ACOM DWS ASST DIR GRANTS RES ADMIN	1	GRADE GS12
17	(23)	A015C ACOM DWS DIR INTERNAL AUDIT & SECURITY	1	GRADE GS12
18	(24)	P007N ACOM DWS DIRECTOR OF COMMUNICATIONS	1	GRADE GS12
19	(25)	G020C ACOM DWS PROGRAM ADMINISTRATOR	3	GRADE GS12
20	(26)	A021C AGENCY CONTROLLER I	1	GRADE GS12
21	(27)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
22	(28)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
23	(29)	A031C ASSISTANT CONTROLLER	3	GRADE GS11
24	(30)	G047C ATTORNEY SPECIALIST	2	GRADE GS11
25	(31)	G068C ACOM DWS AREA OPERATIONS CHIEF	7	GRADE GS10
26	(32)	E074C ACOM PROGRAM COORDINATOR	2	GRADE GS10
27	(33)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
28	(34)	G073C ATTORNEY	8	GRADE GS10
29	(35)	G288C ACOM DWS DIVISION MANAGER	4	GRADE GS09
30	(36)	R015C ACOM DWS EQUAL OPPORTUNITY MANAGER	1	GRADE GS09
31	(37)	G243C ACOM DWS FIELD MANAGER III	2	GRADE GS09
32	(38)	G110C ACOM DWS PROGRAM MANAGER	9	GRADE GS09
33	(39)	E075C ACOM PROGRAM ADVISOR	9	GRADE GS09
34	(40)	R019C BUDGET MANAGER	1	GRADE GS09
35	(41)	G109C GRANTS MANAGER	2	GRADE GS09
36	(42)	G081C ACOM DWS DIVISION CHIEF	1	GRADE GS08

1	(43)	G128C ACOM DWS FIELD MANAGER II	18	GRADE GS08
2	(44)	G127C ACOM DWS PROGRAM OPERATIONS MANAGER	28	GRADE GS08
3	(45)	G114C ACOM DWS WORKFORCE INVESTMENT DIR	2	GRADE GS08
4	(46)	A066C INTERNAL AUDITOR	4	GRADE GS08
5	(47)	R014C PERSONNEL MANAGER	1	GRADE GS08
6	(48)	V007C PROCUREMENT COORDINATOR	1	GRADE GS08
7	(49)	A060C SENIOR AUDITOR	4	GRADE GS08
8	(50)	E023C TRAINING PROJECT MANAGER	2	GRADE GS08
9	(51)	A089C ACCOUNTANT I	3	GRADE GS07
10	(52)	G149C ACOM DWS FIELD MANAGER I	15	GRADE GS07
11	(53)	G181C ACOM DWS PROGRAM MONITOR	48	GRADE GS07
12	(54)	G209C ACOM DWS PROGRAM SUPERVISOR	41	GRADE GS07
13	(55)	G196C ACOM DWS SATELLITE OFFICE SUPERVISOR	7	GRADE GS07
14	(56)	A085C ACOM DWS SR FIELD TAX REPRESENTATIVE	3	GRADE GS07
15	(57)	G138C AGENCY ADMINISTRATIVE REVIEW OFFICER	10	GRADE GS07
16	(58)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
17	(59)	A081C AUDITOR	7	GRADE GS07
18	(60)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	3	GRADE GS07
19	(61)	A075C FINANCIAL ANALYST I	2	GRADE GS07
20	(62)	S017C MAINTENANCE COORDINATOR	1	GRADE GS07
21	(63)	A065C PAYROLL SERVICES COORDINATOR	1	GRADE GS07
22	(64)	A073C PROGRAM/FIELD AUDITOR SUPERVISOR	2	GRADE GS07
23	(65)	E040C STAFF DEVELOPMENT COORDINATOR	2	GRADE GS07
24	(66)	A092C ACOM DWS FIELD TAX REP	17	GRADE GS06
25	(67)	C032C ACOM DWS UI CLAIM TECHNICIAN	18	GRADE GS06
26	(68)	X139C ACOM DWS UI INVESTIGATOR	12	GRADE GS06
27	(69)	G217C ACOM DWS WORKFORCE SPECIALIST	336	GRADE GS06
28	(70)	C037C ADMINISTRATIVE ANALYST	27	GRADE GS06
29	(71)	R027C BUDGET SPECIALIST	7	GRADE GS06
30	(72)	A074C FISCAL SUPPORT SUPERVISOR	7	GRADE GS06
31	(73)	G180C GRANTS ANALYST	1	GRADE GS06
32	(74)	R025C HUMAN RESOURCES ANALYST	2	GRADE GS06
33	(75)	G179C LEGAL SERVICES SPECIALIST	2	GRADE GS06
34	(76)	S033C MAINTENANCE SUPERVISOR	3	GRADE GS06
35	(77)	A084C PROGRAM/FIELD AUDIT SPECIALIST	7	GRADE GS06
36	(78)	B076C RESEARCH PROJECT ANALYST	13	GRADE GS06

1	(79)	E046C TRAINING INSTRUCTOR	23	GRADE GS06
2	(80)	G220C ACOM DWS WORKFORCE INVEST REG ADVISOR	5	GRADE GS05
3	(81)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	4	GRADE GS05
4	(82)	V014C BUYER	3	GRADE GS05
5	(83)	A091C FISCAL SUPPORT ANALYST	19	GRADE GS05
6	(84)	S032C PRINT SHOP SUPERVISOR	1	GRADE GS05
7	(85)	V015C PURCHASING SPECIALIST	1	GRADE GS05
8	(86)	S031C SKILLED TRADESMAN	1	GRADE GS05
9	(87)	C056C ADMINISTRATIVE SPECIALIST III	18	GRADE GS04
10	(88)	A098C FISCAL SUPPORT SPECIALIST	23	GRADE GS04
11	(89)	R036C HUMAN RESOURCES SPECIALIST	6	GRADE GS04
12	(90)	C046C LEGAL SUPPORT SPECIALIST	10	GRADE GS04
13	(91)	S046C MAINTENANCE TECHNICIAN	1	GRADE GS04
14	(92)	V022C PURCHASING TECHNICIAN	1	GRADE GS04
15	(93)	V023C STOREROOM SUPERVISOR	1	GRADE GS04
16	(94)	X183C ACOM DWS CLAIMS ADJUDICATOR	6	GRADE GS03
17	(95)	C073C ADMINISTRATIVE SPECIALIST II	12	GRADE GS03
18	(96)	S081C APPRENTICE TRADESMAN	1	GRADE GS03
19	(97)	S050C MAINTENANCE SPECIALIST	1	GRADE GS03
20	(98)	S054C PRINTER	1	GRADE GS03
21	(99)	C087C ADMINISTRATIVE SPECIALIST I	17	GRADE GS02
22	(100)	S087C INSTITUTIONAL SERVICES ASSISTANT	<u>1</u>	GRADE GS01
23		MAX. NO. OF EMPLOYEES	924	

SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Department of Commerce, to be payable from the Division of Workforce Services Trust Fund, for personal services and operating expenses of the Department of Commerce - Division of Workforce Services - Operations for the fiscal year ending June 30, 2023, the following:

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2022-2023</u>
33	(01) REGULAR SALARIES	\$35,688,350
34	(02) EXTRA HELP	3,800,000
35	(03) PERSONAL SERVICES MATCHING	13,449,469
36	(04) OVERTIME	1,060,000

1	(05) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	19,335,741
3	(B) CONF. & TRAVEL	705,440
4	(C) PROF. FEES	3,000,000
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$77,039,000</u>

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

10 There is hereby appropriated, to the Department of Commerce, to be payable
 11 from cash funds as defined by Arkansas Code 19-4-801, for unemployment
 12 benefit payments and other expenses including disaster relief payments,
 13 training allowances, payments to participant contractors and Unemployment
 14 Insurance Trust Fund loan repayments by the Department of Commerce - Division
 15 of Workforce Services - Unemployment Benefits and Expenses - Cash for the
 16 fiscal year ending June 30, 2023, the following:

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18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2022-2023</u>
20	(01) DISASTER RELIEF PAYMENTS	\$4,000,000
21	(02) FEDERALLY PAID BENEFITS PAYMENTS	3,000,000,000
22	(03) U I BENEFITS - REIMBURSABLE EMPLOYERS	20,000,000
23	(04) U I BENEFITS - TAXABLE EMPLOYERS	2,000,000,000
24	(05) TRAINING ALLOWANCES	4,000,000
25	(06) PAYMENTS TO PART CONTRACTORS	150,000
26	(07) UI ADVANCE REPAYMENT	<u>1</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$5,028,150,001</u>

28

29 SECTION 4. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby
 30 appropriated, to the Department of Commerce, to be payable from the Division
 31 of Workforce Services Special Fund, for payment of the annual assessment to
 32 maintain voting member rights in the National Association of Workforce
 33 Agencies by the Department of Commerce - Division of Workforce Services -
 34 Annual Assessments for the fiscal year ending June 30, 2023, the following:

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36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2022-2023</u>
2	(01) ANNUAL ASSESSMENT	<u>\$26,000</u>

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4 SECTION 5. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.

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

6 from the Division of Workforce Services Special Fund, for construction,

7 personal services and matching, maintenance and general operating expenses

8 for the Administration Building and all other agency owned buildings,

9 building and land acquisition, rent of buildings, and payment of unemployment

10 benefits and expenses incurred by the Department of Commerce - Division of

11 Workforce Services in the administration of the Division of Workforce

12 Services Law, the Temporary Assistance for Needy Families Program, the

13 Arkansas Workforce Innovation and Opportunity Act and the Arkansas Works Act

14 of 2016, or their successor programs and any other programs transferred under

15 the direction and supervision of the Division of Workforce Services, when

16 such expenses exceed funds available from other sources by the Department of

17 Commerce - Division of Workforce Services - Excess Unemployment Benefits and

18 Expenses for the fiscal year ending June 30, 2023, the following:

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2022-2023</u>
22	(01) CONSTRUCTION	\$0
23	(02) RENT OF BUILDINGS	0
24	(03) PAYMENT/EXPENSES	<u>10,000,000</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$10,000,000</u>

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27 SECTION 6. APPROPRIATION - WORKFORCE INNOVATION AND OPPORTUNITY ACT.

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

29 from the federal funds as designated by the Chief Fiscal Officer of the

30 State, for grant payments of the Workforce Innovation and Opportunity Act by

31 the Department of Commerce - Division of Workforce Services - Workforce

32 Innovation and Opportunity Act for the fiscal year ending June 30, 2023, the

33 following:

35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2022-2023</u>

1 (01) WORKFORCE INNOVATION AND OPPORTUNITY
 2 ACT PAYMENTS \$40,000,000

3
 4 SECTION 7. APPROPRIATION - U I TRUST FUND INTEREST/UNEMPLOYMENT
 5 INSURANCE. There is hereby appropriated, to the Department of Commerce, to
 6 be payable from the Employment Security Advance Interest Trust Fund, for
 7 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 Commerce - Division of Workforce Services - UI Trust Fund
 13 Interest/Unemployment Insurance for the fiscal year ending June 30, 2023, the
 14 following:

16 ITEM	FISCAL YEAR
17 <u>NO.</u>	<u>2022-2023</u>
18 (01) U I TRUST FUND INTEREST	\$3,000,000
19 (02) LOAN INTEREST	<u>1</u>
20 TOTAL AMOUNT APPROPRIATED	<u>\$3,000,001</u>

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 22 SECTION 8. APPROPRIATION - REED ACT FUNDS. There is hereby
 23 appropriated, to the Department of Commerce, to be payable from cash funds as
 24 defined by Arkansas Code 19-4-801, for construction, improvement of
 25 buildings, rent and lease costs, acquisition of data processing equipment,
 26 acquisition of land, payment of salaries and related benefits, maintenance
 27 and general operation and for the payment of unemployment insurance benefits
 28 or as prescribed by the Social Security Act by the Department of Commerce -
 29 Division of Workforce Services - Reed Act Funds for the fiscal year ending
 30 June 30, 2023, the following:

32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2022-2023</u>
34 (01) REED ACT FUNDS	<u>\$3,100,000</u>

35
 36 SECTION 9. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

1 BLOCK GRANT PAYING AND NEW HIRE REGISTRY. There is hereby appropriated, to
 2 the Department of Commerce, to be payable from the paying account as
 3 determined by the Chief Fiscal Officer of the State, for personal services,
 4 maintenance and general operations, and grant payments by the Department of
 5 Commerce - Division of Workforce Services - Temporary Assistance for Needy
 6 Families Block Grant Paying and New Hire Registry for the fiscal year ending
 7 June 30, 2023, the following:

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9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2022-2023</u>
11 (01) AR TRANSITIONAL EMPLOYMENT PRGM & NEW	
12 HIRE REGISTRY-PRSN SRVS, MAINT & GEN	
13 OPRS, & GRANT PAYMENTS	<u>\$39,948,110</u>

14

15 SECTION 10. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM.

16 There is hereby appropriated, to the Department of Commerce, to be payable
 17 from the Individual Development Account Trust Fund, for operating expenses of
 18 the Department of Commerce - Division of Workforce Services - Individual
 19 Development Account Program for the fiscal year ending June 30, 2023, the
 20 following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2022-2023</u>
24 (01) MAINT. & GEN. OPERATION	
25 (A) OPER. EXPENSE	\$0
26 (B) CONF. & TRAVEL	0
27 (C) PROF. FEES	141,738
28 (D) CAP. OUTLAY	0
29 (E) DATA PROC.	<u>0</u>
30 TOTAL AMOUNT APPROPRIATED	<u>\$141,738</u>

31

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

33 TRUST FUND. There is hereby appropriated, to the Department of Commerce, to
 34 be payable from the Division of Workforce Services Training Trust Fund, for
 35 personal services, operating expenses, and grants for the Worker Training
 36 Program of the Department of Commerce - Division of Workforce Services -

1 Training Trust Fund for the fiscal year ending June 30, 2023, the following:

2

3	ITEM	FISCAL YEAR
4	<u>NO.</u>	<u>2022-2023</u>

5	(01) PERSONAL SERVICES, OPERATING EXPENSES	
6	AND GRANTS	<u>\$3,256,577</u>

7

8 SECTION 12. APPROPRIATION - DIVISION OF WORKFORCE SERVICES -
 9 UNEMPLOYMENT INSURANCE ADMINISTRATION FUND. There is hereby appropriated, to
 10 the Department of Commerce, to be payable from the Division of Workforce
 11 Services Unemployment Insurance Administration Fund, for personal services
 12 and operating expenses of the Department of Commerce - Division of Workforce
 13 Services - Unemployment Insurance Administration Fund for the fiscal year
 14 ending June 30, 2023, the following:

15

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2022-2023</u>

18	(01) ADMINISTRATION EXPENSES	<u>\$6,000,000</u>
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20 SECTION 13. APPROPRIATION - LOANS TO LOCAL WORKFORCE DEVELOPMENT
 21 BOARDS. There is hereby appropriated, to the Department of Commerce, to be
 22 payable from cash funds as defined by Arkansas Code 19-4-801, for loans to
 23 local Workforce Development Boards (WDB) for local WDB wire transfers by the
 24 Department of Commerce - Division of Workforce Services for the fiscal year
 25 ending June 30, 2023, the following:

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2022-2023</u>

28	(01) LOANS	<u>\$1,500,000</u>
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30 SECTION 14. APPROPRIATION - WORKFORCE DEVELOPMENT GRANT. There is
 31 hereby appropriated, to the Department of Commerce, to be payable from the
 32 federal funds as designated by the Chief Fiscal Officer of the State, for
 33 personal services, maintenance and general operations and grants payments of
 34 the Department of Commerce - Division of Workforce Services - Workforce
 35 Development Grant for the fiscal year ending June 30, 2023, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2022-2023</u>
3	(01) WORKFORCE DEVELOPMENT GRANT	<u>\$4,500,000</u>

4

5 SECTION 15. APPROPRIATION - TRADE ADJUSTMENT ASSISTANCE PROGRAM. There
6 is hereby appropriated, to the Department of Commerce, to be payable from the
7 cash fund deposited in the State Treasury as determined by the Chief Fiscal
8 Officer of the State, for Payments of the Trade Adjustment Assistance Program
9 by the Department of Commerce - Division of Workforce Services - Trade
10 Adjustment Assistance Program for the fiscal year ending June 30, 2023, the
11 following:

12

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2022-2023</u>
15	(01) RTA/ATAA PAYMENTS	\$100,000
16	(02) TAA SUPPORTIVE SERVICES	100,000
17	(03) TAA VENDOR PAYMENTS	<u>7,850,000</u>
18	TOTAL AMOUNT APPROPRIATED	<u>\$8,050,000</u>

19

20 SECTION 16. APPROPRIATION - ADULT EDUCATION ADMINISTRATION -
21 OPERATIONS. There is hereby appropriated, to the Department of Commerce, to
22 be payable from the Division of Workforce Services Fund, for personal
23 services and operating expenses of the Department of Commerce - Division of
24 Workforce Services - Adult Education Administration - Operations for the
25 fiscal year ending June 30, 2023, the following:

26

27	ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2022-2023</u>
29	(01) REGULAR SALARIES	\$751,731
30	(02) EXTRA HELP	7,000
31	(03) PERSONAL SERVICES MATCHING	252,071
32	(04) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	190,000
34	(B) CONF. & TRAVEL	10,500
35	(C) PROF. FEES	0
36	(D) CAP. OUTLAY	0

1	(E) DATA PROC.	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,211,302</u></u>

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4 SECTION 17. APPROPRIATION - ADULT BASIC EDUCATION. There is hereby
5 appropriated, to the Department of Commerce, to be payable from the Division
6 of Workforce Services Fund, for personal services and operating expenses of
7 the Department of Commerce - Division of Workforce Services - Adult Basic
8 Education for the fiscal year ending June 30, 2023, the following:

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10	ITEM	FISCAL YEAR
11	<u>NO.</u>	<u>2022-2023</u>
12	(01) REGULAR SALARIES	\$415,334
13	(02) PERSONAL SERVICES MATCHING	136,073
14	(03) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	24,507
16	(B) CONF. & TRAVEL	0
17	(C) PROF. FEES	0
18	(D) CAP. OUTLAY	0
19	(E) DATA PROC.	<u>0</u>
20	TOTAL AMOUNT APPROPRIATED	<u><u>\$575,914</u></u>

21

22 SECTION 18. APPROPRIATION - FEDERAL ADULT BASIC EDUCATION. There is
23 hereby appropriated, to the Department of Commerce, to be payable from the
24 federal funds as designated by the Chief Fiscal Officer of the State, for
25 personal services, operating expenses and grants by the Department of
26 Commerce - Division of Workforce Services - Federal Adult Basic Education for
27 the fiscal year ending June 30, 2023, the following:

28

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2022-2023</u>
31	(01) REGULAR SALARIES	\$423,812
32	(02) PERSONAL SERVICES MATCHING	137,196
33	(03) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	132,467
35	(B) CONF. & TRAVEL	50,200
36	(C) PROF. FEES	9,000

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	0
3	(04) ADULT BASIC EDUCATION GRANTS	<u>10,369,442</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$11,122,117</u></u>

5

6 SECTION 19. APPROPRIATION - GOVERNOR'S COMMISSION ON ADULT LITERACY.

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

8 from the Division of Career and Technical Education Public School Fund

9 Account, for personal services, operating expenses, and grants by the

10 Department of Commerce - Division of Workforce Services - Governor's

11 Commission on Adult Literacy for the fiscal year ending June 30, 2023, the

12 following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2022-2023</u>
16	(01) REGULAR SALARIES	\$27,191
17	(02) PERSONAL SERVICES MATCHING	8,574
18	(03) MAINT. & GEN. OPERATION	
19	(A) OPER. EXPENSE	52,242
20	(B) CONF. & TRAVEL	6,005
21	(C) PROF. FEES	0
22	(D) CAP. OUTLAY	0
23	(E) DATA PROC.	0
24	(04) GRANTS TO LITERACY COUNCILS	<u>675,000</u>
25	TOTAL AMOUNT APPROPRIATED	<u><u>\$769,012</u></u>

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27 SECTION 20. APPROPRIATION - ADULT BASIC AND GENERAL EDUCATION. There

28 is hereby appropriated, to the Department of Commerce, to be payable from the

29 Division of Career and Technical Education Public School Fund Account, for

30 Adult Basic and General Adult Education grants and aid by the Department of

31 Commerce - Division of Workforce Services - Adult Basic and General Education

32 for the fiscal year ending June 30, 2023, the following:

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2022-2023</u>
36	(01) ADULT BASIC & GENERAL ADULT EDUCATION	<u><u>\$20,920,569</u></u>

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SECTION 21. APPROPRIATION - GED TESTING. There is hereby appropriated, to the Department of Commerce, to be payable from the Division of Career and Technical Education Public School Fund Account, for the cost of individuals taking the General Education Development (GED) test and official practice test of the Department of Commerce - Division of Workforce Services - GED Testing for the fiscal year ending June 30, 2023, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(01) GED TEST COSTS	<u>\$350,000</u>

SECTION 22. 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, ~~2022~~ 2023, 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, ~~2022~~ 2023 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

1 Committee; and

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

6 The provisions of this section shall be in effect only from July 1, ~~2021~~
7 2022 through June 30, ~~2022~~ 2023.

8

9 SECTION 23. 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 Division of Workforce Services for
12 the ~~2021-2022~~ 2022-2023 fiscal year, the following maximum number of part-
13 time or temporary employees, to be known as "Extra Help", payable from funds
14 appropriated herein for such purposes: four hundred thirty three (433)
15 temporary or part-time employees, when needed, at rates of pay not to exceed
16 those 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 In order to comply with the timeliness requirements set forth by the
21 Social Security Act, the Chairman of the Board of Review is authorized to
22 utilize part-time or temporary employees from the pool of positions provided
23 to the Division of Workforce Services in any occurrence where the number of
24 appeals to the Board of Review or Appeal Tribunal increases above a level
25 that can be resolved by the permanent staff in a timely manner. The Division
26 of Workforce Services will determine the appropriate funding source within
27 the Division for said positions.

28 The provisions of this section shall be in effect only from July 1, ~~2021~~
29 2022 through June 30, ~~2022~~ 2023.

30

31 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. "REED ACT
33 FUNDS". Funds received by the State may be used as specified in Section 903
34 of the Social Security Act, for the purpose of construction and improvement
35 of buildings, rent/lease costs, acquisition of land, the payment of salaries
36 and related benefits of central and local office staff, maintenance and

1 operation of central and local offices, payment of unemployment insurance
2 benefits, or as otherwise prescribed in Section 903 of the Social Security
3 Act, as amended.

4 The amount obligated pursuant to this Act shall not exceed the amount by
5 which (a) the aggregate of the amounts transferred to the account of this
6 State pursuant to Section 903 of the Social Security Act exceeds (b) the
7 aggregate of the amounts used by this State and charged against the amounts
8 transferred to the account of this State.

9 The provisions of this section shall be in effect only from July 1, ~~2021~~
10 2022 through June 30, ~~2022~~ 2023.

11
12 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

14 ADDITIONAL POSITIONS. The Director of the Division of Workforce Services,
15 after receiving the approval of the Office of Personnel Management, and after
16 seeking the prior review by the Arkansas Legislative Council or Joint Budget
17 Committee, shall have the authority to establish such new or additional full
18 time positions as may become necessary to carry out the objectives of the
19 program and/or to meet Federal requirements of new and/or expanded programs
20 where such needs are financed by federal funds; provided that not more than
21 two hundred persons may be employed in addition to those authorized in the
22 salary schedule and that the rate of pay shall not exceed those set out in
23 the salary schedule for comparable positions as authorized under the
24 provisions of the Regular Salaries section of this Act.

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

28 The provisions of this section shall be in effect only from July 1, ~~2021~~
29 2022 through June 30, ~~2022~~ 2023.

30
31 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
33 OF APPROPRIATION. Subject to such rules and regulations as may be
34 implemented by the Chief Fiscal Officer of the State and after having sought
35 the prior approval by the Arkansas Legislative Council or Joint Budget
36 Committee, the Director of the Division of Workforce Services is hereby

1 authorized to make transfers from any appropriation made by this Act to any
2 other appropriation made by this Act with the exception of the "Reed Act
3 Funds" appropriations set forth in the Reed Act Funds appropriation section
4 of this Act, and of the appropriation made for Regular Salaries or
5 Maintenance and General Operation. Such transfers may be made whenever it
6 appears, by projecting the expenditures of any of the appropriations in this
7 Act, that there will be a deficiency of appropriation in one item and that
8 there will be a corresponding excess of appropriation in another item or
9 items which may be transferred. The transfer of appropriation shall be
10 effected only on approval of the Chief Fiscal Officer of the State. Provided,
11 however, that no transfer of appropriations may be authorized to increase the
12 total amount appropriated for Regular Salaries, or Maintenance and General
13 Operations, except as may be authorized elsewhere by law.

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

30 The provisions of this section shall be in effect only from July 1, ~~2021~~
31 2022 through June 30, ~~2022~~ 2023.

32
33 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-
35 AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR
36 NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the Secretary of the

1 Department of Human Services (DHS) and the Director of the Division of
2 Workforce Services (DWS), the Chief Fiscal Officer of the State may approve
3 up to three million six hundred forty thousand six hundred fifty dollars
4 (\$3,640,650) each fiscal year in State General Revenue appropriated to DWS
5 for the TANF program to be transferred to the DHS - Division of County
6 Operations in support of Arkansas' TANF Programs or any related separate
7 state programs.

8 The Director of the Division of Workforce Services shall provide a report
9 of all transfers made to the DHS - Division of County Operations to the
10 Performance Evaluation and Expenditure Review Committee of the Arkansas
11 Legislative Council and Joint Budget Committee. The report must include the
12 justification for and the amount of the completed transfers.

13 The provisions of this section shall be in effect only from July 1, ~~2021~~
14 2022 through June 30, ~~2022~~ 2023.

15

16 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
18 OF TANF BLOCK GRANT FUNDS. Each fiscal year, the Division of Workforce
19 Services shall transfer the sum of seven million five hundred thousand
20 dollars (\$7,500,000) from the state's federal Temporary Assistance for Needy
21 Families block grant to the Department of Education Division of Elementary
22 and Secondary Education Public School Fund Account to be used solely for the
23 Arkansas Better Chance Program.

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

32 The provisions of this section shall be in effect only from July 1, ~~2021~~
33 2022 through June 30, ~~2022~~ 2023.

34

35 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRAINING

1 TRUST FUND TRANSFER. Immediately upon the effective date of this Act, the
2 Chief Fiscal Officer of the State shall transfer on his or her books and
3 those of the State Treasurer and the Auditor of the State the sum of two
4 million five hundred thousand dollars (\$2,500,000) from the Division of
5 Workforce Services Training Trust Fund to the Skills Development Fund.

6 The provisions of this section shall be in effect only from July 1, ~~2021~~
7 2022 through June 30, ~~2022~~ 2023.

8

9 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
11 RESTRICTIONS ON FINANCIAL ASSISTANCE UNDER THE TEMPORARY ASSISTANCE FOR NEEDY
12 FAMILIES PROGRAM.

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

17 (2) The purposes of subsection (a) of this section are typically
18 accomplished by:

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

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

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

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

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

29 (A) Restrict the financial assistance granted to a
30 recipient of the Temporary Assistance for Needy Families Program or its
31 successor program to purchase goods and services that are considered
32 essential and necessary for the welfare of the family, including without
33 limitation:

34 (i) Food;

35 (ii) Clothing;

36 (iii) Housing;

1 (iv) Utilities;
2 (v) Child care; and
3 (vi) Incidentals, including without limitation
4 transportation and medicine or medical supplies or equipment not covered by
5 either the Arkansas Medicaid Program or the health benefit plan of the
6 individual; and

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

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

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

17 The provisions of this section shall be in effect only from July 1, ~~2021~~
18 2022 through June 30, ~~2022~~ 2023.

19

20 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEDERAL
22 MATCHING. The funds appropriated in Sections for Adult Basic and General
23 Adult Education of this Act may also be used to match any available federal
24 funds from any agency in order to provide the maximum amount of money
25 possible for the purposes enumerated in such Section.

26 The provisions of this section shall be in effect only from July 1, ~~2021~~
27 2022 through June 30, ~~2022~~ 2023.

28

29 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADULT
31 EDUCATION DISTRIBUTION. All funds that become available for Adult Education
32 shall be distributed to those administrative units determined to be operating
33 efficient adult education programs, under criteria established by the
34 Division of Workforce Services. The criteria shall include the relative
35 efficiency of administration of the program in the counties served and
36 achievement of federal performance indicators. The Division of Workforce

1 Services shall promulgate rules and regulations for the distribution of funds
2 in accordance with criteria to be determined by the Division. In the
3 distribution of funds to local units the Division shall consider performance
4 in meeting state and federal performance indicators. Unallocated funds will
5 be redistributed based upon need as determined by the Division of Workforce
6 Services.

7 The provisions of this section shall be in effect only from July 1, ~~2021~~
8 2022 through June 30, ~~2022~~ 2023.

9
10 SECTION 33. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
11 authorized by this act shall be limited to the appropriation for such agency
12 and funds made available by law for the support of such appropriations; and
13 the restrictions of the State Procurement Law, the General Accounting and
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
15 Procedures and Restrictions Act, or their successors, and other fiscal
16 control laws of this State, where applicable, and regulations promulgated by
17 the Department of Finance and Administration, as authorized by law, shall be
18 strictly complied with in disbursement of said funds.

19
20 SECTION 34. LEGISLATIVE INTENT. It is the intent of the General
21 Assembly that any funds disbursed under the authority of the appropriations
22 contained in this act shall be in compliance with the stated reasons for
23 which this act was adopted, as evidenced by the Agency Requests, Executive
24 Recommendations and Legislative Recommendations contained in the budget
25 manuals prepared by the Department of Finance and Administration, letters, or
26 summarized oral testimony in the official minutes of the Arkansas Legislative
27 Council or Joint Budget Committee which relate to its passage and adoption.

28
29 SECTION 35. EFFECTIVE DATE. This act is effective on and after July 1,
30 2022.

31
32 */s/ Joint Budget Committee*

33
34
35 **APPROVED: 3/7/22**