

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1424

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF WORKFORCE SERVICES FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2009; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF WORKFORCE
17 SERVICES APPROPRIATION FOR THE 2007-2009
18 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Workforce Services for the 2007-2009 biennium, the following
26 maximum number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
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36 Maximum Annual



1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2007-2008	2008-2009
4	(1)	9926	ESD DIRECTOR	1	\$125,046	\$127,546
5	(2)	9624	ESD DEPUTY DIRECTOR	1	\$103,857	\$105,934
6	(3)	9928	CHAIRMAN OF THE BOARD OF REVIEW	1	\$94,188	\$96,071
7	(4)	7027	ESD CHIEF COUNSEL/OFC LEGAL SVCS	1	\$94,188	\$96,071
8	(5)	7026	ESD ASST DIR, INFO AND TECHNOLOGY	1	\$94,188	\$96,071
9	(6)	7025	ESD ASST DIR, UNEMPLOYMENT INS	1	\$94,188	\$96,071
10	(7)	7024	ESD ASST DIR, FINANCIAL MANAGEMENT	1	\$94,188	\$96,071
11	(8)	7023	ESD ASST DIR, EMPLOYMENT ASSIST	1	\$94,188	\$96,071
12	(9)	9275	FEDERAL GRANTS/RESOURCE ADMINISTRAT	1	\$86,613	\$88,345
13	(10)	827Z	DP CENTER MANAGER	1	GRADE 26	
14	(11)	922Z	ESD DEP ASST DIR EMPLOYMENT ASSISTA	1	GRADE 26	
15	(12)	924Z	ESD DEP ASST DIR UNEMPLOYMENT INSUR	1	GRADE 26	
16	(13)	053Z	ESD DIR INTERNAL AUDIT & SECURITY	1	GRADE 26	
17	(14)	R170	ATTORNEY SPECIALIST	2	GRADE 25	
18	(15)	710Z	ESD AREA OPERATION CHIEF	4	GRADE 24	
19	(16)	711Z	ESD DIVISION CHIEF	7	GRADE 24	
20	(17)	716Z	ESD ASSISTANT ADMINISTRATOR	1	GRADE 24	
21	(18)	D130	INFORMATION SYSTEMS ADMINISTRATOR	1	GRADE 24	
22	(19)	R036	ATTORNEY	7	GRADE 24	
23	(20)	D046	SYSTEMS APPLICATIONS SUPERVISOR	5	GRADE 23	
24	(21)	717Z	ESD PERSONNEL MANAGER	1	GRADE 23	
25	(22)	744Z	ESD EQUAL OPPORTUNITY MANAGER	1	GRADE 22	
26	(23)	795Z	ESD MANAGER II	16	GRADE 22	
27	(24)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE 22	
28	(25)	D038	SYSTEMS PROGRAMMER	2	GRADE 22	
29	(26)	E051	TRAINING PROJECT MANAGER	1	GRADE 22	
30	(27)	D124	LEAD PROGRAMMER/ANALYST	12	GRADE 22	
31	(28)	X324	CLAIMS HEARING OFFICER II	12	GRADE 21	
32	(29)	D036	SR PROGRAMMER/ANALYST	8	GRADE 21	
33	(30)	D010	DATA BASE ANALYST	1	GRADE 21	
34	(31)	R111	ESD PROGRAM OPERATIONS MANAGER	21	GRADE 21	
35	(32)	799Z	ESD MANAGER I	10	GRADE 21	
36	(33)	A008	ACCOUNTING SUPERVISOR II	6	GRADE 21	

1	(34)	A036	FIELD AUDITOR SUPERVISOR	5	GRADE 20
2	(35)	A038	FINANCIAL ANALYST	1	GRADE 20
3	(36)	A056	INTERNAL AUDITOR	2	GRADE 20
4	(37)	R144	PROGRAM COORDINATOR	1	GRADE 20
5	(38)	C018	ESD COMMUNICATIONS & MEDIA OFFICER	1	GRADE 20
6	(39)	D121	USER SUPPORT ANALYST	1	GRADE 20
7	(40)	E114	STAFF DEVELOPMENT COORDINATOR	1	GRADE 20
8	(41)	R266	MANAGEMENT PROJECT ANALYST II	36	GRADE 20
9	(42)	R344	ESD SATELLITE OFFICE SUPERVISOR	5	GRADE 19
10	(43)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
11	(44)	Y031	ESD PRINT SHOP SUPERVISOR	1	GRADE 19
12	(45)	E074	TRAINING REPRESENTATIVE	2	GRADE 19
13	(46)	A154	ESD FIELD TAX REP III	5	GRADE 19
14	(47)	R150	RESEARCH PROJECT ANALYST	17	GRADE 19
15	(48)	R168	GRANTS COORDINATOR II	1	GRADE 19
16	(49)	R048	BUDGET SPECIALIST	5	GRADE 19
17	(50)	R059	ESD APPEALS REFEREE	3	GRADE 19
18	(51)	R086	CIVIL RIGHTS COORDINATOR	1	GRADE 19
19	(52)	R169	ESD EMPLOYMENT SERVICES REP	1	GRADE 18
20	(53)	M170	QUALITY CONTROL REVIEWER	1	GRADE 18
21	(54)	D034	PROGRAMMER ANALYST	1	GRADE 18
22	(55)	G028	BLDG PLANT MAINTENANCE SUPV II	1	GRADE 18
23	(56)	A111	ACCOUNTANT	14	GRADE 18
24	(57)	A070	ESD FIELD TAX REP II	27	GRADE 18
25	(58)	X310	ESD TECHNICIAN II	4	GRADE 18
26	(59)	X346	ESD UI CLAIM TECHNICIAN	38	GRADE 18
27	(60)	X355	ESD U I INVESTIGATOR II	11	GRADE 18
28	(61)	R264	MANAGEMENT PROJECT ANALYST I	8	GRADE 18
29	(62)	R237	ESD PROGRAM SUPERVISOR	50	GRADE 18
30	(63)	R327	ESD RESEARCH & ANALYSIS ANALYST	2	GRADE 18
31	(64)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
32	(65)	R257	ESD INTERVIEWER II	281	GRADE 17
33	(66)	R010	ADMINISTRATIVE ASSISTANT II	8	GRADE 17
34	(67)	R190	PERSONNEL OFFICER II	2	GRADE 17
35	(68)	A055	ESD FIELD TAX REP I	1	GRADE 17
36	(69)	K040	ESD UNIT SUPERVISOR II	7	GRADE 17

1	(70)	K044	ESD UNIT SUPERVISOR I	3	GRADE 16
2	(71)	A024	COLLECTION OFFICER	1	GRADE 16
3	(72)	A031	DELINQUENT TAX COLLECTOR	2	GRADE 15
4	(73)	A063	PAYROLL OFFICER	1	GRADE 15
5	(74)	A108	ACCOUNTING TECHNICIAN II	16	GRADE 15
6	(75)	R009	ADMINISTRATIVE ASSISTANT I	2	GRADE 15
7	(76)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	3	GRADE 15
8	(77)	V051	STOREROOM SUPV/STORE SUPV	1	GRADE 15
9	(78)	X336	ESD CLAIMS ADJUDICATOR	19	GRADE 14
10	(79)	K117	MEDICAL OR LEGAL SECRETARY	4	GRADE 14
11	(80)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	3	GRADE 14
12	(81)	K153	SECRETARY II	12	GRADE 13
13	(82)	A012	ESD ACCOUNTING CLERK	1	GRADE 13
14	(83)	K039	DOCUMENT EXAMINER II	25	GRADE 12
15	(84)	X330	ESD CLAIMS ADJUDICATOR TRAINEE	1	GRADE 12
16	(85)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
17	(86)	K065	MAIL OFFICER	2	GRADE 09
18	(87)	G035	CUSTODIAL WRKR II	1	GRADE 04
19	(88)	G171	CUSTODIAL WRKR I	<u>1</u>	GRADE 03
20			MAX. NO. OF EMPLOYEES	778	

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22 SECTION 2. APPROPRIATION - PERSONAL SERVICES. There is hereby
 23 appropriated, to the Department of Workforce Services, to be payable from the
 24 Arkansas Employment Security Department Trust Fund, for personal services of
 25 the Department of Workforce Services for the biennial period ending June 30,
 26 2009, the following:

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28	ITEM	FISCAL YEARS	
29	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
30	(01) REGULAR SALARIES	\$ 26,479,065	\$ 27,008,277
31	(02) EXTRA HELP	4,093,000	4,093,000
32	(03) PERSONAL SERVICES MATCHING	9,387,387	9,502,273
33	(04) OVERTIME	<u>60,000</u>	<u>60,000</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 40,019,452</u>	<u>\$ 40,663,550</u>

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36 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to

1 the Department of Workforce Services, to be payable from cash funds as
 2 defined by Arkansas Code 19-4-801 of the Department of Workforce Services,
 3 for operating expenses of the Department of Workforce Services for the
 4 biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 22,632,178	\$ 22,632,178
(B) CONF. & TRAVEL	608,130	608,130
(C) PROF. FEES	865,104	865,104
(D) CAP. OUTLAY	2,970,102	2,419,001
(E) DATA PROC.	8,530,516	8,530,516
(02) DISASTER RELIEF PAYMENTS	2,000,000	2,000,000
(03) FEDERAL EMPLOYEES BENEFIT PAYMENTS	100,000,000	100,000,000
(04) U I BENEFITS - REIMBURSABLE EMPLOYERS	20,000,000	20,000,000
(05) U I BENEFITS - TAXABLE EMPLOYERS	500,000,000	500,000,000
(06) TRAINING ALLOWANCES	5,000,000	5,000,000
(07) PAY TO PART CONTRACTORS	10,000,000	10,000,000
(08) UI LOAN REPAYMENT	1	1
(09) ESD SPECIAL FUND	<u>100,000</u>	<u>100,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 672,706,031</u>	<u>\$ 672,154,930</u>

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 24 SECTION 4. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby
 25 appropriated, to the Department of Workforce Services, to be payable from the
 26 Employment Security Special Fund, for payment of the annual assessment to
 27 maintain voting member rights in the National Association of Workforce
 28 Agencies by the Department of Workforce Services for the biennial period
 29 ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) ANNUAL ASSESSMENT	<u>\$ 26,000</u>	<u>\$ 26,000</u>

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 35 SECTION 5. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.
 36 There is hereby appropriated, to the Department of Workforce Services, to be

1 payable from the Employment Security Special Fund, for payment of
 2 unemployment benefits and expenses incurred in the administration of the
 3 Employment Security Law when such expenses exceed funds available from other
 4 sources by the Department of Workforce Services for the biennial period
 5 ending June 30, 2009, the following:

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7 ITEM	FISCAL YEARS	
8 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
9 (01) PAYMENT/EXPENSES	<u>\$ 14,373,841</u>	<u>\$ 10,878,035</u>

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11 SECTION 6. APPROPRIATION - WORKFORCE INVESTMENT ACT. There is hereby
 12 appropriated, to the Department of Workforce Services, to be payable from the
 13 federal funds as designated by the Chief Fiscal Officer of the State, for
 14 grant payments of the Workforce Investment Act of the Department of Workforce
 15 Services for the biennial period ending June 30, 2009, the following:

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17 ITEM	FISCAL YEARS	
18 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
19 (01) WORKFORCE INVESTMENT ACT PAYMENTS	<u>\$ 58,000,000</u>	<u>\$ 58,000,000</u>

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21 SECTION 7. APPROPRIATION - UI TRUST FUND INTEREST/UNEMPLOYMENT INSURANCE.
 22 There is hereby appropriated, to the Department of Workforce Services, to be
 23 payable from the Employment Security Advance Interest Trust Fund, for paying
 24 interest incurred by the state on advances from the Federal Unemployment
 25 Trust Fund, making refunds of advance interest taxes or interest and penalty
 26 payments which were erroneously paid, and returning moneys to the
 27 Unemployment Compensation Fund Clearing Account which were incorrectly
 28 identified and erroneously transferred, if needed, of the Department of
 29 Workforce Services for the biennial period ending June 30, 2009, the
 30 following:

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32 ITEM	FISCAL YEARS	
33 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
34 (01) U I TRUST FUND INTEREST	\$ 3,000,000	\$ 3,000,000
35 (02) LOAN INTEREST	<u>1</u>	<u>1</u>
36 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,000,001</u>	<u>\$ 3,000,001</u>

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SECTION 8. REGULAR SALARIES - NEW HIRE REGISTRY. There is hereby established for the Department of Workforce Services - New Hire Registry for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				Fiscal Years 2007-2008	Fiscal Years 2008-2009
(1)	8037	ESD PROGRAM ADMINISTRATOR	<u>1</u>	\$81,368	\$82,995
		MAX. NO. OF EMPLOYEES	1		

SECTION 9. APPROPRIATION - NEW HIRE REGISTRY - STATE. There is hereby appropriated, to the Department of Workforce Services, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of Workforce Services - New Hire Registry - State for the biennial period ending June 30, 2009, the following:

ITEM NO.	DESCRIPTION	FISCAL YEARS	
		2007-2008	2008-2009
(01)	REGULAR SALARIES	\$ 26,851	\$ 27,388
(02)	PERSONAL SERVICES MATCHING	7,201	7,316
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	118,254	118,254
(B)	CONF. & TRAVEL	0	0
(C)	PROF. FEES	0	0
(D)	CAP. OUTLAY	0	0
(E)	DATA PROC.	<u>0</u>	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$ 152,306 \$ 152,958

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3 SECTION 10. APPROPRIATION - NEW HIRE REGISTRY - FEDERAL. There is hereby
 4 appropriated, to the Department of Workforce Services, to be payable from the
 5 federal funds as designated by the Chief Fiscal Officer of the State, for
 6 personal services and operating expenses of the Department of Workforce
 7 Services - New Hire Registry - Federal for the biennial period ending June
 8 30, 2009, the following:

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10 ITEM	FISCAL YEARS	
11 NO.	2007-2008	2008-2009
12 (01) REGULAR SALARIES	\$ 54,517	\$ 55,607
13 (02) PERSONAL SERVICES MATCHING	14,624	14,861
14 (03) MAINT. & GEN. OPERATION		
15 (A) OPER. EXPENSE	286,475	286,475
16 (B) CONF. & TRAVEL	0	0
17 (C) PROF. FEES	0	0
18 (D) CAP. OUTLAY	0	0
19 (E) DATA PROC.	<u>0</u>	<u>0</u>
20 TOTAL AMOUNT APPROPRIATED	\$ <u>355,616</u>	\$ <u>356,943</u>

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22 SECTION 11. APPROPRIATION - REED ACT FUNDS. There is hereby appropriated,
 23 to the Department of Workforce Services, to be payable from the 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 of the Department of Workforce
 29 Services for the biennial period ending June 30, 2009, the sum of
 30\$77,000,000.

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32 SECTION 12. APPROPRIATION - ADMINISTRATION BUILDING UPKEEP. There is
 33 hereby appropriated, to the Department of Workforce Services, to be payable
 34 from the Employment Security Special Fund, for maintenance, repairs,
 35 equipment, furnishings, upkeep of the Administration Building and all other
 36 agency owned buildings, and maintenance of adjacent parking areas of the

1 Department of Workforce Services for the biennial period ending June 30,
2 2009, the sum of\$455,000.

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4 SECTION 13. APPROPRIATION - BUILDING AND LAND ACQUISITION. There is hereby
5 appropriated, to the Department of Workforce Services, to be payable from the
6 Employment Security Special Fund, for acquisition of buildings, acquisition
7 of land, construction of buildings, and modification of existing buildings
8 outside of the Pulaski County area of the Department of Workforce Services
9 for the biennial period ending June 30, 2009, the sum of\$300,000.

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11 SECTION 14. APPROPRIATION - RENT OF BUILDINGS. There is hereby
12 appropriated, to the Department of Workforce Services, to be payable from the
13 Employment Security Special Fund, for rent of buildings by the Department of
14 Workforce Services for the biennial period ending June 30, 2009, the sum of
15\$96,708.

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17 SECTION 15. APPROPRIATION - SPECIAL IMPROVEMENT DISTRICT TAXES. There is
18 hereby appropriated, to the Department of Workforce Services, to be payable
19 from the Employment Security Special Fund, for payment of special improvement
20 district taxes of the Department of Workforce Services for the biennial
21 period ending June 30, 2009, the sum of\$1,000.

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23 SECTION 16. APPROPRIATION - TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF)
24 BLOCK GRANT PAYING. There is hereby appropriated, to the Department of
25 Workforce Services, to be payable from the paying account as determined by
26 the Chief Fiscal Officer of the State, for grant payments of the Department
27 of Workforce Services - Temporary Assistance to Needy Families (TANF) Block
28 Grant Paying for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
	2007-2008	2008-2009
(01) ARKANSAS TRANSITIONAL EMPLOYMENT		
PROGRAM OPERATION	<u>\$ 66,590,650</u>	<u>\$ 66,590,650</u>

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35 SECTION 17. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM. There
36 is hereby appropriated, to the Department of Workforce Services, to be

1 payable from the Individual Development Account Trust Fund, for operating
 2 expenses of the Department of Workforce Services - Individual Development
 3 Account Program for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 0	\$ 0
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	500,000	500,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 500,000</u>	<u>\$ 500,000</u>

15 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 17 RESTRICTIONS ON FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT INITIATIVE.
 18 Funds appropriated for Community Investment Funds from the Temporary
 19 Assistance to Needy Families (TANF) Block Grant for the fiscal years ~~2005-~~
 20 ~~2006~~ 2007-2008 and ~~2006-2007~~ 2008-2009 (combined) shall be subject to these
 21 restrictions in their use for the specified statutory purposes:

- 22 (1) Improving outcomes for youth (at least \$1,000,000),
- 23 (2) parenting and family functioning (at least \$500,000),
- 24 (3) marriage and relationship skills (\$500,000),
- 25 (4) fatherhood programs (at least \$500,000),
- 26 (5) family and employment services for ex-offenders (at least \$500,000),
- 27 and
- 28 (6) services to child-only TEA cases (at least \$500,000)

29 The provisions of this section shall be in effect only from July 1, ~~2005~~
 30 2007 through June 30, ~~2007~~ 2009.

32 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 34 SUSPENSION OR REDUCTION OF FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT
 35 INITIATIVE. Spending for the Community Investment Initiative can be
 36 suspended or reduced if the Director of the ~~Employment Security Department~~

1 Department of Workforce Services and the Transitional Employment Board
 2 certify that

3 a) Funding from the Temporary Assistance to Needy Families block grant is
 4 needed to support a critical economic development initiative,

5 b) Other funds from the Temporary Assistance to Needy Families block grant
 6 are not available beyond those needed for the operation of the TEA, Work Pays
 7 and High Wage Education and Training Programs and for an adequate reserve for
 8 possible increases in cash assistance during the current fiscal year, and

9 c) Spending for the economic development initiative is allowable within
 10 the federal rules governing the Temporary Assistance to Needy Families Block
 11 Grant.

12 Certification of these conditions shall be made to the Governor and the
 13 Chief Fiscal Officer of the State and notification shall be made to the
 14 Legislative Council and the Senate and House Public Health and Welfare
 15 Committees.

16 If spending on the Community Investment Initiative is reduced, these
 17 reductions shall be assessed proportionately to the funds ~~available~~
 18 designated by the TEA Board for each of the six statutory purposes of the
 19 Community Investment Initiative.

20 The provisions of this section shall be in effect only from July 1, 2005
 21 2007 through June 30, ~~2007~~ 2009.

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 23 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 25 FORWARD - NEW HIRE REGISTRY. Any balance in the appropriation and funds made
 26 available by this Act for the New Hire Registry which remain on June 30, ~~2006~~
 27 2008, may be carried forward into the next fiscal year, to be used for the
 28 same purpose.

29 Any carry forward of unexpended balance of appropriation and/or funding as
 30 authorized herein, may be carried forward under the following conditions:

31 (1) Prior to June 30, 2008 the Agency shall by written statement set
 32 forth its reason(s) for the need to carry forward said appropriation and/or
 33 funding to the Department of Finance and Administration Office of Budget;

34 (2) The Department of Finance and Administration Office of Budget shall
 35 report to the Arkansas Legislative Council all amounts carried forward from
 36 the first fiscal year of the biennium to the second fiscal year of the

1 biennium by the September Arkansas Legislative Council or Joint Budget
 2 Committee meeting in the second fiscal year of the biennial period which
 3 report shall include the name of the Agency, Board, Commission or Institution
 4 and the amount of the appropriation and/or funding carried forward from the
 5 first fiscal year to the second fiscal year, the program name or line item,
 6 the funding source of that appropriation and a copy of the written request
 7 set forth in (1) above;

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

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

20 The provisions of this section shall be in effect only from July 1, 2005
 21 2007 through June 30, ~~2007~~ 2009.

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 23 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 25 HELP. There is hereby authorized, for the ~~Employment Security Department~~
 26 Department of Workforce Services for the ~~2005-2007~~ 2007-2009 biennium, the
 27 following maximum number of part-time or temporary employees, to be known as
 28 "Extra Help", payable from funds appropriated herein for such purposes: four
 29 hundred (400) temporary or part-time employees, when needed, at rates of pay
 30 not to exceed those provided in the Uniform Classification and Compensation
 31 Act, or its successor, for the appropriate classification. Any of these
 32 positions utilized in a manner which are funded by federal sources are
 33 specifically exempt from limitation of hours, either by Act or Regulation.
 34 The provisions of this section shall be in effect only from July 1, 2005 2007
 35 through June 30, ~~2007~~ 2009.

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1 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 3 FORWARD. Any unexpended balance of appropriation made by this Act, which
 4 remains at the close of the fiscal year ending June 30, ~~2006~~ 2008, shall be
 5 ~~transferred~~ carried forward and made available for any purpose other than
 6 Regular Salaries and Maintenance and General Operations for the fiscal year
 7 ending June 30, ~~2007~~ 2009.

8 Any carry forward of unexpended balance of appropriation and/or funding as
 9 authorized herein, may be carried forward under the following conditions:

10 (1) Prior to June 30, 2008 the Agency shall by written statement set
 11 forth its reason(s) for the need to carry forward said appropriation and/or
 12 funding to the Department of Finance and Administration Office of Budget;

13 (2) The Department of Finance and Administration Office of Budget shall
 14 report to the Arkansas Legislative Council all amounts carried forward from
 15 the first fiscal year of the biennium to the second fiscal year of the
 16 biennium by the September Arkansas Legislative Council or Joint Budget
 17 Committee meeting in the second fiscal year of the biennial period which
 18 report shall include the name of the Agency, Board, Commission or Institution
 19 and the amount of the appropriation and/or funding carried forward from the
 20 first fiscal year to the second fiscal year, the program name or line item,
 21 the funding source of that appropriation and a copy of the written request
 22 set forth in (1) above;

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

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

35 The provisions of this section shall be in effect only from July 1, ~~2005~~
 36 2007 through June 30, ~~2007~~ 2009.

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

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

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADDITIONAL POSITIONS. The Director of the ~~Employment Security Department~~ Department of Workforce Services, after receiving the approval of the Office of Personnel Management, and after seeking the prior review by the Arkansas Legislative Council, shall have the authority to establish such new or additional full time positions as may become necessary to carry out the objectives of the program and/or to meet Federal requirements of new and/or expanded programs where such needs are financed by federal funds; provided that not more than two hundred persons may be employed in addition to those authorized in the salary schedule and that the rate of pay shall not exceed those set out in the salary schedule for comparable positions as authorized under the provisions of Section 1 of this Act.

If the agency requests continuation of a "Growth Pool" position(s) as established herein during the next biennium, the position(s) must be requested as a new position(s) in the agencies biennial budget request.

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

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SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF APPROPRIATION. Subject to such rules and regulations as may be implemented by the Chief Fiscal Officer of the State and after having sought the prior ~~review~~ approval by the Arkansas Legislative Council or Joint Budget Committee, the Director of the ~~Employment Security Department~~ Department of Workforce Services is hereby authorized to make transfers from any appropriation made by this Act to any other appropriation made by this Act with the exception of the "Reed Act Funds" appropriations set forth in Section 11 of this Act, and of the appropriation made for Regular Salaries or Maintenance and General Operation. Such transfers may be made whenever it appears, by projecting the expenditures of any of the appropriations in this Act, that there will be a deficiency of appropriation in one item and that there will be a corresponding excess of appropriation in another item or items which may be transferred. The transfer of appropriation shall be effected only on approval of the Chief Fiscal Officer of the State. Provided, however, that no transfer of appropriations may be authorized to increase the total amount appropriated for Regular Salaries, or Maintenance and General Operations, except as may be authorized elsewhere by law.

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

1 The provisions of this section shall be in effect only from July 1, 2005
 2 2007 through June 30, ~~2007~~ 2009.

3
 4 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-
 6 AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR
 7 NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the
 8 Department of Health and Human Services and the Director of the Department of
 9 Workforce Services (DWS), the Chief Fiscal Officer of the State may approve
 10 up to three million six hundred forty thousand six hundred fifty dollars
 11 (\$3,640,650) in State General Revenue appropriated to DWS for the (TANF)
 12 program to be transferred to the Department of Health and Human Services
 13 (DHHS) -Division of County Operations in support of Arkansas' Temporary
 14 Assistance for Needy Families (TANF) Programs or any related Separate State
 15 Programs.

16 The Director of the Department of Workforce Services shall provide a
 17 report of all transfers made to the DHHS-Division of County Operations to the
 18 Performance Evaluation and Expenditure Review Committee of the Arkansas
 19 Legislative Council and Joint Budget Committee. The report must include the
 20 justification for and the amount of the completed transfers.

21 The provisions of this section shall be in effect only from July 1, 2007
 22 through June 30, 2009.

23
 24 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 26 OF TANF BLOCK GRANT FUNDS TO THE CHILD CARE DEVELOPMENT FUND. For each
 27 fiscal year of the 2007-2009 biennium, the Department of Workforce Services
 28 shall transfer the sum of seven million five hundred thousand dollars
 29 (\$7,500,000) from the state's federal Temporary Assistance to Needy Families
 30 block grant to the Child Care Development Fund to be administered by the
 31 Division of Child Care and Early Childhood Education, Department of Health
 32 and Human Services. The funds shall be used to provide quality child care and
 33 preschool education for transitional employment assistance qualifying
 34 families and other low-income families for at-risk three- and four-year olds
 35 under the Arkansas Better Chance for School Success programs. These funds
 36 shall be transferred from the Division of Child Care and Early Childhood

1 Education to the Department of Education, Public School Fund to be used
 2 solely for the purpose stated above.

3 If the state match for the Temporary Assistance to Needy Families grant or
 4 the state's Temporary Assistance to Needy Families grant is reduced, the
 5 amount to be transferred may be adjusted in proportion to the percentage
 6 change in the state match or the state's Temporary Assistance to Needy
 7 Families grant. The amount to be transferred may also be reduced
 8 proportionately if new cost requirements are imposed upon the state as a
 9 result of new or revised Temporary Assistance to Needy Families regulations
 10 at the federal level.

11 The provisions of this section shall be in effect only from July 1, 2007
 12 through June 30, 2009.

13
 14 SECTION 28. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 15 by this act shall be limited to the appropriation for such agency and funds
 16 made available by law for the support of such appropriations; and the
 17 restrictions of the State Procurement Law, the General Accounting and
 18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 19 Procedures and Restrictions Act, or their successors, and other fiscal
 20 control laws of this State, where applicable, and regulations promulgated by
 21 the Department of Finance and Administration, as authorized by law, shall be
 22 strictly complied with in disbursement of said funds.

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

32
 33 SECTION 30. EMERGENCY CLAUSE. It is found and determined by the General
 34 Assembly, that the Constitution of the State of Arkansas prohibits the
 35 appropriation of funds for more than a two (2) year period; that the
 36 effectiveness of this Act on July 1, 2007 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the Regular Session, the delay in the effective
3 date of this Act beyond July 1, 2007 could work irreparable harm upon the
4 proper administration and provision of essential governmental programs.
5 Therefore, an emergency is hereby declared to exist and this Act being
6 necessary for the immediate preservation of the public peace, health and
7 safety shall be in full force and effect from and after July 1, 2007.

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