

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  
4

*As Engrossed: H2/16/07 H3/15/07*

# A Bill

HOUSE BILL 1424

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.  
19  
20

21  
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

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.  
35

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)	8037	ESD PROGRAM ADMINISTRATOR	1	\$81,368	\$82,995
14	(11)	827Z	DP CENTER MANAGER	1	GRADE	26
15	(12)	922Z	ESD DEP ASST DIR EMPLOYMENT ASSISTA	1	GRADE	26
16	(13)	924Z	ESD DEP ASST DIR UNEMPLOYMENT INSUR	1	GRADE	26
17	(14)	053Z	ESD DIR INTERNAL AUDIT & SECURITY	1	GRADE	26
18	(15)	R170	ATTORNEY SPECIALIST	2	GRADE	25
19	(16)	710Z	ESD AREA OPERATION CHIEF	4	GRADE	24
20	(17)	711Z	ESD DIVISION CHIEF	7	GRADE	24
21	(18)	716Z	ESD ASSISTANT ADMINISTRATOR	1	GRADE	24
22	(19)	D130	INFORMATION SYSTEMS ADMINISTRATOR	1	GRADE	24
23	(20)	R036	ATTORNEY	7	GRADE	24
24	(21)	D046	SYSTEMS APPLICATIONS SUPERVISOR	5	GRADE	23
25	(22)	717Z	ESD PERSONNEL MANAGER	1	GRADE	23
26	(23)	744Z	ESD EQUAL OPPORTUNITY MANAGER	1	GRADE	22
27	(24)	795Z	ESD MANAGER II	16	GRADE	22
28	(25)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE	22
29	(26)	D038	SYSTEMS PROGRAMMER	2	GRADE	22
30	(27)	E051	TRAINING PROJECT MANAGER	1	GRADE	22
31	(28)	D124	LEAD PROGRAMMER/ANALYST	12	GRADE	22
32	(29)	X324	CLAIMS HEARING OFFICER II	12	GRADE	21
33	(30)	D036	SR PROGRAMMER/ANALYST	8	GRADE	21
34	(31)	D010	DATA BASE ANALYST	1	GRADE	21
35	(32)	R111	ESD PROGRAM OPERATIONS MANAGER	21	GRADE	21
36	(33)	799Z	ESD MANAGER I	10	GRADE	21

1	(34)	A008	ACCOUNTING SUPERVISOR II	6	GRADE 21
2	(35)	A036	FIELD AUDITOR SUPERVISOR	5	GRADE 20
3	(36)	A038	FINANCIAL ANALYST	1	GRADE 20
4	(37)	A056	INTERNAL AUDITOR	2	GRADE 20
5	(38)	R144	PROGRAM COORDINATOR	1	GRADE 20
6	(39)	C018	ESD COMMUNICATIONS & MEDIA OFFICER	1	GRADE 20
7	(40)	D121	USER SUPPORT ANALYST	1	GRADE 20
8	(41)	E114	STAFF DEVELOPMENT COORDINATOR	1	GRADE 20
9	(42)	R266	MANAGEMENT PROJECT ANALYST II	40	GRADE 20
10	(43)	R344	ESD SATELLITE OFFICE SUPERVISOR	5	GRADE 19
11	(44)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
12	(45)	Y031	ESD PRINT SHOP SUPERVISOR	1	GRADE 19
13	(46)	E074	TRAINING REPRESENTATIVE	2	GRADE 19
14	(47)	A154	ESD FIELD TAX REP III	5	GRADE 19
15	(48)	R150	RESEARCH PROJECT ANALYST	17	GRADE 19
16	(49)	R168	GRANTS COORDINATOR II	1	GRADE 19
17	(50)	R048	BUDGET SPECIALIST	5	GRADE 19
18	(51)	R059	ESD APPEALS REFEREE	2	GRADE 19
19	(52)	R086	CIVIL RIGHTS COORDINATOR	1	GRADE 19
20	(53)	R169	ESD EMPLOYMENT SERVICES REP	1	GRADE 18
21	(54)	M170	QUALITY CONTROL REVIEWER	1	GRADE 18
22	(55)	D034	PROGRAMMER ANALYST	1	GRADE 18
23	(56)	G028	BLDG PLANT MAINTENANCE SUPV II	1	GRADE 18
24	(57)	A111	ACCOUNTANT	14	GRADE 18
25	(58)	A070	ESD FIELD TAX REP II	27	GRADE 18
26	(59)	X310	ESD TECHNICIAN II	4	GRADE 18
27	(60)	X346	ESD UI CLAIM TECHNICIAN	38	GRADE 18
28	(61)	X355	ESD U I INVESTIGATOR II	10	GRADE 18
29	(62)	R264	MANAGEMENT PROJECT ANALYST I	7	GRADE 18
30	(63)	R237	ESD PROGRAM SUPERVISOR	49	GRADE 18
31	(64)	R327	ESD RESEARCH & ANALYSIS ANALYST	2	GRADE 18
32	(65)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
33	(66)	R257	ESD INTERVIEWER II	280	GRADE 17
34	(67)	R010	ADMINISTRATIVE ASSISTANT II	8	GRADE 17
35	(68)	R190	PERSONNEL OFFICER II	2	GRADE 17
36	(69)	A055	ESD FIELD TAX REP I	1	GRADE 17

1	(70)	K040	ESD UNIT SUPERVISOR II	7	GRADE 17
2	(71)	K044	ESD UNIT SUPERVISOR I	3	GRADE 16
3	(72)	A024	COLLECTION OFFICER	1	GRADE 16
4	(73)	A031	DELINQUENT TAX COLLECTOR	2	GRADE 15
5	(74)	A063	PAYROLL OFFICER	1	GRADE 15
6	(75)	A108	ACCOUNTING TECHNICIAN II	16	GRADE 15
7	(76)	R009	ADMINISTRATIVE ASSISTANT I	2	GRADE 15
8	(77)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	3	GRADE 15
9	(78)	V051	STOREROOM SUPV/STORE SUPV	1	GRADE 15
10	(79)	X336	ESD CLAIMS ADJUDICATOR	19	GRADE 14
11	(80)	K117	MEDICAL OR LEGAL SECRETARY	4	GRADE 14
12	(81)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	3	GRADE 14
13	(82)	K153	SECRETARY II	12	GRADE 13
14	(83)	A012	ESD ACCOUNTING CLERK	1	GRADE 13
15	(84)	K039	DOCUMENT EXAMINER II	25	GRADE 12
16	(85)	X330	ESD CLAIMS ADJUDICATOR TRAINEE	1	GRADE 12
17	(86)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
18	(87)	K065	MAIL OFFICER	2	GRADE 09
19	(88)	G035	CUSTODIAL WRKR II	1	GRADE 04
20	(89)	G171	CUSTODIAL WRKR I	<u>1</u>	GRADE 03
21			MAX. NO. OF EMPLOYEES	778	

22

23 SECTION 2. APPROPRIATION - PERSONAL SERVICES. There is hereby  
 24 appropriated, to the Department of Workforce Services, to be payable from the  
 25 Arkansas Employment Security Department Trust Fund, for personal services of  
 26 the Department of Workforce Services for the biennial period ending June 30,  
 27 2009, the following:

28

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

36

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Department of Workforce Services, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Workforce Services, for operating expenses of the Department of Workforce Services for the 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>

SECTION 4. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby appropriated, to the Department of Workforce Services, to be payable from the Employment Security Special Fund, for payment of the annual assessment to maintain voting member rights in the National Association of Workforce Agencies by the Department of Workforce Services for the biennial period 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>

SECTION 5. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.

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

7

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

11

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

17

ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) WORKFORCE INVESTMENT ACT PAYMENTS	\$ 58,000,000	\$ 58,000,000

21

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

32

ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) U I TRUST FUND INTEREST	\$ 3,000,000	\$ 3,000,000
(02) LOAN INTEREST	<u>1</u>	<u>1</u>

36

1 TOTAL AMOUNT APPROPRIATED \$ 3,000,001 \$ 3,000,001

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

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

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

27  
28  
29  
30  
31  
32  
33  
34  
35  
36

ITEM NO.		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

1	(E) DATA PROC.	<u>0</u>	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 152,306</u>	<u>\$ 152,958</u>

3  
 4 SECTION 10. APPROPRIATION - NEW HIRE REGISTRY - FEDERAL. There is hereby  
 5 appropriated, to the Department of Workforce Services, to be payable from the  
 6 federal funds as designated by the Chief Fiscal Officer of the State, for  
 7 personal services and operating expenses of the Department of Workforce  
 8 Services - New Hire Registry - Federal for the biennial period ending June  
 9 30, 2009, the following:

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

22  
 23 SECTION 11. APPROPRIATION - REED ACT FUNDS. There is hereby appropriated,  
 24 to the Department of Workforce Services, to be payable from the cash funds as  
 25 defined by Arkansas Code 19-4-801, for construction, improvement of  
 26 buildings, rent and lease costs, acquisition of data processing equipment,  
 27 acquisition of land, payment of salaries and related benefits, maintenance  
 28 and general operation and for the payment of unemployment insurance benefits,  
 29 or as prescribed by the Social Security Act of the Department of Workforce  
 30 Services for the biennial period ending June 30, 2009, the sum of  
 31 .....\$77,000,000.

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



1 agency owned buildings, and maintenance of adjacent parking areas of the  
2 Department of Workforce Services for the biennial period ending June 30,  
3 2009, the sum of .....\$455,000.  
4

5 SECTION 13. APPROPRIATION - BUILDING AND LAND ACQUISITION. There is hereby  
6 appropriated, to the Department of Workforce Services, to be payable from the  
7 Employment Security Special Fund, for acquisition of buildings, acquisition  
8 of land, construction of buildings, and modification of existing buildings  
9 outside of the Pulaski County area of the Department of Workforce Services  
10 for the biennial period ending June 30, 2009, the sum of .....\$300,000.  
11

12 SECTION 14. APPROPRIATION - RENT OF BUILDINGS. There is hereby  
13 appropriated, to the Department of Workforce Services, to be payable from the  
14 Employment Security Special Fund, for rent of buildings by the Department of  
15 Workforce Services for the biennial period ending June 30, 2009, the sum of  
16 .....\$96,708.  
17

18 SECTION 15. APPROPRIATION - SPECIAL IMPROVEMENT DISTRICT TAXES. There is  
19 hereby appropriated, to the Department of Workforce Services, to be payable  
20 from the Employment Security Special Fund, for payment of special improvement  
21 district taxes of the Department of Workforce Services for the biennial  
22 period ending June 30, 2009, the sum of .....\$1,000.  
23

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

31 ITEM	FISCAL YEARS	
32 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
33 (01) ARKANSAS TRANSITIONAL EMPLOYMENT		
34 PROGRAM OPERATION	<u>\$ 66,590,650</u>	<u>\$ 66,590,650</u>

35  
36 SECTION 17. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM. There

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

6 ITEM	FISCAL YEARS	
7 NO.	2007-2008	2008-2009
8 (01) MAINT. & GEN. OPERATION		
9 (A) OPER. EXPENSE	\$ 0	\$ 0
10 (B) CONF. & TRAVEL	0	0
11 (C) PROF. FEES	1,700,000	1,700,000
12 (D) CAP. OUTLAY	0	0
13 (E) DATA PROC.	<u>0</u>	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,700,000</u>	<u>\$ 1,700,000</u>

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

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

30 The provisions of this section shall be in effect only from July 1, ~~2005~~  
 31 2007 through June 30, ~~2007~~ 2009.

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

1 suspended or reduced if the Director of the ~~Employment Security Department~~  
2 Department of Workforce Services and the Transitional Employment Board  
3 certify that

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

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

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

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

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

21 The provisions of this section shall be in effect only from July 1, ~~2005~~  
22 2007 through June 30, ~~2007~~ 2009.

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

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

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

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

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

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

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

21 The provisions of this section shall be in effect only from July 1, 2005  
22 2007 through June 30, ~~2007~~ 2009.

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

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

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

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

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

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

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

36 The provisions of this section shall be in effect only from July 1, 2005

1 2007 through June 30, ~~2007~~ 2009.

2

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

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

17 The provisions of this section shall be in effect only from July 1, ~~2005~~  
18 2007 through June 30, ~~2007~~ 2009.

19

20 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

22 ADDITIONAL POSITIONS. The Director of the ~~Employment Security Department~~  
23 Department of Workforce Services, after receiving the approval of the Office  
24 of Personnel Management, and after seeking the prior review by the Arkansas  
25 Legislative Council, shall have the authority to establish such new or  
26 additional full time positions as may become necessary to carry out the  
27 objectives of the program and/or to meet Federal requirements of new and/or  
28 expanded programs where such needs are financed by federal funds; provided  
29 that not more than two hundred persons may be employed in addition to those  
30 authorized in the salary schedule and that the rate of pay shall not exceed  
31 those set out in the salary schedule for comparable positions as authorized  
32 under the provisions of Section 1 of this Act.

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

36 The provisions of this section shall be in effect only from July 1, ~~2005~~

1 2007 through June 30, ~~2007~~ 2009.

2

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

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

1 this entire section is void.

2 The provisions of this section shall be in effect only from July 1, 2005  
3 2007 through June 30, ~~2007~~ 2009.

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

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

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

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



1 shall be transferred from the Division of Child Care and Early Childhood  
2 Education to the Department of Education, Public School Fund to be used  
3 solely for the purpose stated above.

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

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

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

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

33  
34 SECTION 30. EMERGENCY CLAUSE. It is found and determined by the General  
35 Assembly, that the Constitution of the State of Arkansas prohibits the  
36 appropriation of funds for more than a two (2) year period; that the

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

9  
10 */s/ Joint Budget Committee*  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36