

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 H3/27/07*

# 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.  
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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.  
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36 Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years	2007-2008	2008-2009
1	(1)	9926	ESD DIRECTOR	1	\$125,046	\$127,546
2	(2)	9624	ESD DEPUTY DIRECTOR	1	\$103,857	\$105,934
3	(3)	9928	CHAIRMAN OF THE BOARD OF REVIEW	1	\$94,188	\$96,071
4	(4)	7027	ESD CHIEF COUNSEL/OFC LEGAL SVCS	1	\$94,188	\$96,071
5	(5)	7026	ESD ASST DIR, INFO AND TECHNOLOGY	1	\$94,188	\$96,071
6	(6)	7025	ESD ASST DIR, UNEMPLOYMENT INS	1	\$94,188	\$96,071
7	(7)	7024	ESD ASST DIR, FINANCIAL MANAGEMENT	1	\$94,188	\$96,071
8	(8)	7023	ESD ASST DIR, EMPLOYMENT ASSIST	1	\$94,188	\$96,071
9	(9)	9275	FEDERAL GRANTS/RESOURCE ADMINISTRAT	1	\$86,613	\$88,345
10	(10)	8037	ESD PROGRAM ADMINISTRATOR	1	\$81,368	\$82,995
11	(11)	827Z	DP CENTER MANAGER	1	GRADE	26
12	(12)	922Z	ESD DEP ASST DIR EMPLOYMENT ASSISTA	1	GRADE	26
13	(13)	924Z	ESD DEP ASST DIR UNEMPLOYMENT INSUR	1	GRADE	26
14	(14)	053Z	ESD DIR INTERNAL AUDIT & SECURITY	1	GRADE	26
15	(15)	R170	ATTORNEY SPECIALIST	2	GRADE	25
16	(16)	710Z	ESD AREA OPERATION CHIEF	4	GRADE	24
17	(17)	711Z	ESD DIVISION CHIEF	7	GRADE	24
18	(18)	716Z	ESD ASSISTANT ADMINISTRATOR	1	GRADE	24
19	(19)	D130	INFORMATION SYSTEMS ADMINISTRATOR	1	GRADE	24
20	(20)	R036	ATTORNEY	7	GRADE	24
21	(21)	D046	SYSTEMS APPLICATIONS SUPERVISOR	5	GRADE	23
22	(22)	717Z	ESD PERSONNEL MANAGER	1	GRADE	23
23	(23)	744Z	ESD EQUAL OPPORTUNITY MANAGER	1	GRADE	22
24	(24)	795Z	ESD MANAGER II	16	GRADE	22
25	(25)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE	22
26	(26)	D038	SYSTEMS PROGRAMMER	2	GRADE	22
27	(27)	E051	TRAINING PROJECT MANAGER	1	GRADE	22
28	(28)	D124	LEAD PROGRAMMER/ANALYST	12	GRADE	22
29	(29)	X324	CLAIMS HEARING OFFICER II	12	GRADE	21
30	(30)	D036	SR PROGRAMMER/ANALYST	8	GRADE	21
31	(31)	D010	DATA BASE ANALYST	1	GRADE	21
32	(32)	R111	ESD PROGRAM OPERATIONS MANAGER	21	GRADE	21
33	(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	

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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:

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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>

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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:

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

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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:

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

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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:

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

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

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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	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:

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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>

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 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>

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 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.  
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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.

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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.

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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.

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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.

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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:

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

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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>

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 16 SECTION 18. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES TRAINING  
 17 TRUST FUND. There is hereby appropriated, to the Department of Workforce  
 18 Services, to be payable from the Department of Workforce Services Training  
 19 Trust Fund, for personal services, operating expenses and grants for the  
 20 Worker Training Program of the Department of Workforce Services for the  
 21 biennial period ending June 30, 2009, the following:

23 ITEM	FISCAL YEARS	
24 NO.	2007-2008	2008-2009
25 (01) PERSONAL SERVICES, OPERATING EXPENSES AND GRANTS	<u>\$ 2,500,000</u>	<u>\$ 2,500,000</u>

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 28 SECTION 19. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES UNEMPLOYMENT  
 29 INSURANCE FUND. There is hereby appropriated, to the Department of Workforce  
 30 Services, to be payable from the Department of Workforce Services  
 31 Unemployment Insurance Administration Fund, for operating expenses of the  
 32 Unemployment Insurance Program of the Department of Workforce Services for  
 33 the biennial period ending June 30, 2009, the following:

35 ITEM	FISCAL YEARS	
36 NO.	2007-2008	2008-2009

1 (01) OPERATING EXPENSES \$ 2,500,000 \$ 2,500,000

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3 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
5 RESTRICTIONS ON FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT INITIATIVE.  
6 Funds appropriated for Community Investment Funds from the Temporary  
7 Assistance to Needy Families (TANF) Block Grant for the fiscal years ~~2005-~~  
8 ~~2006~~ 2007-2008 and ~~2006-2007~~ 2008-2009 (combined) shall be subject to these  
9 restrictions in their use for the specified statutory purposes:

- 10 (1) Improving outcomes for youth (at least \$1,000,000),  
11 (2) parenting and family functioning (at least \$500,000),  
12 (3) marriage and relationship skills (\$500,000),  
13 (4) fatherhood programs (at least \$500,000),  
14 (5) family and employment services for ex-offenders (at least \$500,000),  
15 and  
16 (6) services to child-only TEA cases (at least \$500,000)

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

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20 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
22 SUSPENSION OR REDUCTION OF FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT  
23 INITIATIVE. Spending for the Community Investment Initiative can be  
24 suspended or reduced if the Director of the ~~Employment Security Department~~  
25 Department of Workforce Services and the Transitional Employment Board  
26 certify that

- 27 a) Funding from the Temporary Assistance to Needy Families block grant is  
28 needed to support a critical economic development initiative,  
29 b) Other funds from the Temporary Assistance to Needy Families block grant  
30 are not available beyond those needed for the operation of the TEA, Work Pays  
31 and High Wage Education and Training Programs and for an adequate reserve for  
32 possible increases in cash assistance during the current fiscal year, and  
33 c) Spending for the economic development initiative is allowable within  
34 the federal rules governing the Temporary Assistance to Needy Families Block  
35 Grant.

36 Certification of these conditions shall be made to the Governor and the

1 Chief Fiscal Officer of the State and notification shall be made to the  
2 Legislative Council and the Senate and House Public Health and Welfare  
3 Committees.

4 If spending on the Community Investment Initiative is reduced, these  
5 reductions shall be assessed proportionately to the funds ~~available~~  
6 designated by the TEA Board for each of the six statutory purposes of the  
7 Community Investment Initiative.

8 The provisions of this section shall be in effect only from July 1, 2005  
9 2007 through June 30, ~~2007~~ 2009.

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11 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
13 FORWARD - NEW HIRE REGISTRY. Any balance in the appropriation and funds made  
14 available by this Act for the New Hire Registry which remain on June 30, ~~2006~~  
15 2008, may be carried forward into the next fiscal year, to be used for the  
16 same purpose.

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

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

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

32 (3) Each Agency, Board, Commission or Institution shall provide a written  
33 report to the Arkansas Legislative Council or Joint Budget Committee  
34 containing all information set forth in item (2) above, along with a written  
35 statement as to the current status of the project, contract, purpose etc. for  
36 which the carry forward was originally requested no later than thirty (30)

1 days prior to the time the Agency, Board, Commission or Institution presents  
2 its budget request to the Arkansas Legislative Council/Joint Budget  
3 Committee; and

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

8 The provisions of this section shall be in effect only from July 1, 2005  
9 2007 through June 30, ~~2007~~ 2009.

10  
11 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
13 HELP. There is hereby authorized, for the ~~Employment Security Department~~  
14 Department of Workforce Services for the ~~2005-2007~~ 2007-2009 biennium, the  
15 following maximum number of part-time or temporary employees, to be known as  
16 "Extra Help", payable from funds appropriated herein for such purposes: four  
17 hundred (400) temporary or part-time employees, when needed, at rates of pay  
18 not to exceed those provided in the Uniform Classification and Compensation  
19 Act, or its successor, for the appropriate classification. Any of these  
20 positions utilized in a manner which are funded by federal sources are  
21 specifically exempt from limitation of hours, either by Act or Regulation.  
22 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007  
23 through June 30, ~~2007~~ 2009.

24  
25 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
27 FORWARD. Any unexpended balance of appropriation made by this Act, which  
28 remains at the close of the fiscal year ending June 30, ~~2006~~ 2008, shall be  
29 ~~transferred~~ carried forward and made available for any purpose other than  
30 Regular Salaries and Maintenance and General Operations for the fiscal year  
31 ending June 30, ~~2007~~ 2009.

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

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

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

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

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

23       The provisions of this section shall be in effect only from July 1, 2005  
24 2007 through June 30, ~~2007~~ 2009.

25  
26       SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. "REED ACT  
28 FUNDS". Funds received by the State may be used as specified in 903 of the  
29 Social Security Act, for the purpose of construction, and improvement of  
30 buildings, rent/lease costs, acquisition of land, the payment of salaries and  
31 related benefits of central and local office staff, maintenance and operation  
32 of central and local offices, payment of unemployment insurance benefits, or  
33 as otherwise prescribed in Section 903 of the Social Security Act, as  
34 amended.

35       The amount obligated pursuant to this Act shall not exceed the amount by  
36 which (a) the aggregate of the amounts transferred to the account of this

1 State pursuant to Section 903 of the Social Security Act exceeds (b) the  
2 aggregate of the amounts used by this State and charged against the amounts  
3 transferred to the account of this State.

4 The provisions of this section shall be in effect only from July 1, 2005  
5 2007 through June 30, ~~2007~~ 2009.

6  
7 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

23 The provisions of this section shall be in effect only from July 1, 2005  
24 2007 through June 30, ~~2007~~ 2009.

25  
26 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
28 OF APPROPRIATION. Subject to such rules and regulations as may be  
29 implemented by the Chief Fiscal Officer of the State and after having sought  
30 the prior ~~review~~ approval by the Arkansas Legislative Council or Joint Budget  
31 Committee, the Director of the ~~Employment Security Department~~ Department of  
32 Workforce Services is hereby authorized to make transfers from any  
33 appropriation made by this Act to any other appropriation made by this Act  
34 with the exception of the "Reed Act Funds" appropriations set forth in  
35 Section 11 of this Act, and of the appropriation made for Regular Salaries or  
36 Maintenance and General Operation. Such transfers may be made whenever it

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

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

25 The provisions of this section shall be in effect only from July 1, 2005  
26 2007 through June 30, ~~2007~~ 2009.

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



1 Services (DHHS) -Division of County Operations in support of Arkansas'  
2 Temporary Assistance for Needy Families (TANF) Programs or any related  
3 Separate State Programs.

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

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

11  
12 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
14 OF TANF BLOCK GRANT FUNDS TO THE CHILD CARE DEVELOPMENT FUND. For each  
15 fiscal year of the 2007-2009 biennium, the Department of Workforce Services  
16 shall transfer the sum of seven million five hundred thousand dollars  
17 (\$7,500,000) from the state's federal Temporary Assistance to Needy Families  
18 block grant to the Child Care Development Fund to be administered by the  
19 Division of Child Care and Early Childhood Education, Department of Health  
20 and Human Services. The funds shall be used to provide quality child care and  
21 preschool education for transitional employment assistance qualifying  
22 families and other low-income families for at-risk three- and four-year olds  
23 under the Arkansas Better Chance for School Success programs. These funds  
24 shall be transferred from the Division of Child Care and Early Childhood  
25 Education to the Department of Education, Public School Fund to be used  
26 solely for the purpose stated above.

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

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

1  
2 SECTION 30. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
3 by this act shall be limited to the appropriation for such agency and funds  
4 made available by law for the support of such appropriations; and the  
5 restrictions of the State Procurement Law, the General Accounting and  
6 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
7 Procedures and Restrictions Act, or their successors, and other fiscal  
8 control laws of this State, where applicable, and regulations promulgated by  
9 the Department of Finance and Administration, as authorized by law, shall be  
10 strictly complied with in disbursement of said funds.

11  
12 SECTION 31. LEGISLATIVE INTENT. It is the intent of the General Assembly  
13 that any funds disbursed under the authority of the appropriations contained  
14 in this act shall be in compliance with the stated reasons for which this act  
15 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
16 and Legislative Recommendations contained in the budget manuals prepared by  
17 the Department of Finance and Administration, letters, or summarized oral  
18 testimony in the official minutes of the Arkansas Legislative Council or  
19 Joint Budget Committee which relate to its passage and adoption.

20  
21 SECTION 32. EMERGENCY CLAUSE. It is found and determined by the General  
22 Assembly, that the Constitution of the State of Arkansas prohibits the  
23 appropriation of funds for more than a two (2) year period; that the  
24 effectiveness of this Act on July 1, 2007 is essential to the operation of  
25 the agency for which the appropriations in this Act are provided, and that in  
26 the event of an extension of the Regular Session, the delay in the effective  
27 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
28 proper administration and provision of essential governmental programs.  
29 Therefore, an emergency is hereby declared to exist and this Act being  
30 necessary for the immediate preservation of the public peace, health and  
31 safety shall be in full force and effect from and after July 1, 2007.

32  
33 */s/ Joint Budget Committee*  
34  
35  
36