

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 *As Engrossed: H2/16/07 H3/15/07 H3/27/07 H3/28/07*

2 86th General Assembly

A Bill

3 Regular Session, 2007

HOUSE BILL 1424

4

5 By: Joint Budget Committee

6

7

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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

15

16

Subtitle

17 AN ACT FOR THE DEPARTMENT OF WORKFORCE
18 SERVICES APPROPRIATION FOR THE 2007-2009
19 BIENNIUM.

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.

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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)	9068	ATEB DIRECTOR	1	\$91,243	\$93,067
13	(10)	9275	FEDERAL GRANTS/RESOURCE ADMINISTRAT	1	\$86,613	\$88,345
14	(11)	8037	ESD PROGRAM ADMINISTRATOR	1	\$81,368	\$82,995
15	(12)	827Z	DP CENTER MANAGER	1		GRADE 26
16	(13)	922Z	ESD DEP ASST DIR EMPLOYMENT ASSISTA	1		GRADE 26
17	(14)	924Z	ESD DEP ASST DIR UNEMPLOYMENT INSUR	1		GRADE 26
18	(15)	053Z	ESD DIR INTERNAL AUDIT & SECURITY	1		GRADE 26
19	(16)	R170	ATTORNEY SPECIALIST	2		GRADE 25
20	(17)	710Z	ESD AREA OPERATION CHIEF	4		GRADE 24
21	(18)	014Z	ATEB PROGRAM DIRECTOR	2		GRADE 24
22	(19)	711Z	ESD DIVISION CHIEF	7		GRADE 24
23	(20)	716Z	ESD ASSISTANT ADMINISTRATOR	1		GRADE 24
24	(21)	D130	INFORMATION SYSTEMS ADMINISTRATOR	1		GRADE 24
25	(22)	R036	ATTORNEY	7		GRADE 24
26	(23)	D046	SYSTEMS APPLICATIONS SUPERVISOR	5		GRADE 23
27	(24)	717Z	ESD PERSONNEL MANAGER	1		GRADE 23
28	(25)	744Z	ESD EQUAL OPPORTUNITY MANAGER	1		GRADE 22
29	(26)	795Z	ESD MANAGER II	16		GRADE 22
30	(27)	D066	SYSTEMS COORDINATION ANALYST II	1		GRADE 22
31	(28)	D038	SYSTEMS PROGRAMMER	2		GRADE 22
32	(39)	E051	TRAINING PROJECT MANAGER	1		GRADE 22
33	(30)	D124	LEAD PROGRAMMER/ANALYST	12		GRADE 22
34	(31)	X324	CLAIMS HEARING OFFICER II	12		GRADE 21
35	(32)	M033	ATEB OUTREACH MONITOR	1		GRADE 21
36	(33)	D036	SR PROGRAMMER/ANALYST	8		GRADE 21

1	(34)	D010	DATA BASE ANALYST	1	GRADE 21
2	(35)	R111	ESD PROGRAM OPERATIONS MANAGER	21	GRADE 21
3	(36)	799Z	ESD MANAGER I	10	GRADE 21
4	(37)	A008	ACCOUNTING SUPERVISOR II	6	GRADE 21
5	(38)	A036	FIELD AUDITOR SUPERVISOR	5	GRADE 20
6	(39)	A038	FINANCIAL ANALYST	1	GRADE 20
7	(40)	A056	INTERNAL AUDITOR	2	GRADE 20
8	(41)	R144	PROGRAM COORDINATOR	1	GRADE 20
9	(42)	C018	ESD COMMUNICATIONS & MEDIA OFFICER	1	GRADE 20
10	(43)	D121	USER SUPPORT ANALYST	1	GRADE 20
11	(44)	E114	STAFF DEVELOPMENT COORDINATOR	1	GRADE 20
12	(45)	R266	MANAGEMENT PROJECT ANALYST II	40	GRADE 20
13	(46)	R344	ESD SATELLITE OFFICE SUPERVISOR	5	GRADE 19
14	(47)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
15	(48)	Y031	ESD PRINT SHOP SUPERVISOR	1	GRADE 19
16	(49)	E074	TRAINING REPRESENTATIVE	2	GRADE 19
17	(50)	A154	ESD FIELD TAX REP III	5	GRADE 19
18	(51)	R150	RESEARCH PROJECT ANALYST	17	GRADE 19
19	(52)	R168	GRANTS COORDINATOR II	1	GRADE 19
20	(53)	R048	BUDGET SPECIALIST	5	GRADE 19
21	(54)	R059	ESD APPEALS REFEREE	2	GRADE 19
22	(55)	R086	CIVIL RIGHTS COORDINATOR	1	GRADE 19
23	(56)	R169	ESD EMPLOYMENT SERVICES REP	1	GRADE 18
24	(57)	M170	QUALITY CONTROL REVIEWER	1	GRADE 18
25	(58)	D034	PROGRAMMER ANALYST	1	GRADE 18
26	(59)	G028	BLDG PLANT MAINTENANCE SUPV II	1	GRADE 18
27	(60)	A111	ACCOUNTANT	14	GRADE 18
28	(61)	A070	ESD FIELD TAX REP II	27	GRADE 18
29	(62)	X310	ESD TECHNICIAN II	4	GRADE 18
30	(63)	X346	ESD UI CLAIM TECHNICIAN	38	GRADE 18
31	(64)	X355	ESD U I INVESTIGATOR II	10	GRADE 18
32	(65)	R264	MANAGEMENT PROJECT ANALYST I	7	GRADE 18
33	(66)	R237	ESD PROGRAM SUPERVISOR	49	GRADE 18
34	(67)	R327	ESD RESEARCH & ANALYSIS ANALYST	2	GRADE 18
35	(68)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
36	(69)	R257	ESD INTERVIEWER II	280	GRADE 17

1	(70)	R010	ADMINISTRATIVE ASSISTANT II	9	GRADE 17
2	(71)	R190	PERSONNEL OFFICER II	2	GRADE 17
3	(72)	A055	ESD FIELD TAX REP I	1	GRADE 17
4	(73)	K040	ESD UNIT SUPERVISOR II	7	GRADE 17
5	(74)	K044	ESD UNIT SUPERVISOR I	3	GRADE 16
6	(75)	A024	COLLECTION OFFICER	1	GRADE 16
7	(76)	A031	DELINQUENT TAX COLLECTOR	2	GRADE 15
8	(77)	A063	PAYROLL OFFICER	1	GRADE 15
9	(78)	A108	ACCOUNTING TECHNICIAN II	16	GRADE 15
10	(79)	R009	ADMINISTRATIVE ASSISTANT I	2	GRADE 15
11	(80)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	3	GRADE 15
12	(81)	V051	STOREROOM SUPV/STORE SUPV	1	GRADE 15
13	(82)	X336	ESD CLAIMS ADJUDICATOR	19	GRADE 14
14	(83)	K117	MEDICAL OR LEGAL SECRETARY	4	GRADE 14
15	(84)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	3	GRADE 14
16	(85)	K153	SECRETARY II	12	GRADE 13
17	(86)	A012	ESD ACCOUNTING CLERK	1	GRADE 13
18	(87)	K039	DOCUMENT EXAMINER II	25	GRADE 12
19	(88)	X330	ESD CLAIMS ADJUDICATOR TRAINEE	1	GRADE 12
20	(89)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
21	(90)	K065	MAIL OFFICER	2	GRADE 09
22	(91)	G035	CUSTODIAL WRKR II	1	GRADE 04
23	(92)	G171	CUSTODIAL WRKR I	<u>1</u>	GRADE 03
24			MAX. NO. OF EMPLOYEES	783	

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

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32	ITEM	FISCAL YEARS	
33	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
34	(01) REGULAR SALARIES	\$ 26,732,260	\$ 27,266,533
35	(02) EXTRA HELP	4,093,000	4,093,000
36	(03) PERSONAL SERVICES MATCHING	9,459,659	9,575,569

1	(04) OVERTIME	<u>60,000</u>	<u>60,000</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 40,344,919</u>	<u>\$ 40,995,102</u>

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4 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
5 the Department of Workforce Services, to be payable from cash funds as
6 defined by Arkansas Code 19-4-801 of the Department of Workforce Services,
7 for operating expenses of the Department of Workforce Services for the
8 biennial period ending June 30, 2009, the following:

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10	ITEM	FISCAL YEARS	
11	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
12	(01) MAINT. & GEN. OPERATION		
13	(A) OPER. EXPENSE	\$ 22,744,678	\$ 22,744,678
14	(B) CONF. & TRAVEL	630,630	630,630
15	(C) PROF. FEES	1,625,104	1,625,104
16	(D) CAP. OUTLAY	2,970,102	2,419,001
17	(E) DATA PROC.	8,530,516	8,530,516
18	(02) DISASTER RELIEF PAYMENTS	2,000,000	2,000,000
19	(03) FEDERAL EMPLOYEES BENEFIT PAYMENTS	100,000,000	100,000,000
20	(04) U I BENEFITS - REIMBURSABLE EMPLOYERS	20,000,000	20,000,000
21	(05) U I BENEFITS - TAXABLE EMPLOYERS	500,000,000	500,000,000
22	(06) TRAINING ALLOWANCES	5,000,000	5,000,000
23	(07) PAY TO PART CONTRACTORS	10,000,000	10,000,000
24	(08) UI LOAN REPAYMENT	1	1
25	(09) ESD SPECIAL FUND	<u>100,000</u>	<u>100,000</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 673,601,031</u>	<u>\$ 673,049,930</u>

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

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35	ITEM	FISCAL YEARS	
36	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>

1 (01) ANNUAL ASSESSMENT \$ 26,000 \$ 26,000

2

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

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

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

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

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

24

25 SECTION 7. APPROPRIATION - UI TRUST FUND INTEREST/UNEMPLOYMENT INSURANCE.

26 There is hereby appropriated, to the Department of Workforce Services, to be
 27 payable from the Employment Security Advance Interest Trust Fund, for paying
 28 interest incurred by the state on advances from the Federal Unemployment
 29 Trust Fund, making refunds of advance interest taxes or interest and penalty
 30 payments which were erroneously paid, and returning moneys to the
 31 Unemployment Compensation Fund Clearing Account which were incorrectly
 32 identified and erroneously transferred, if needed, of the Department of
 33 Workforce Services for the biennial period ending June 30, 2009, the
 34 following:

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36 ITEM	FISCAL YEARS	
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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>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,000,001</u>	<u>\$ 3,000,001</u>

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	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years		
No.	Code	Title	2007-2008	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.		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

1	(B) CONF. & TRAVEL	0	0
2	(C) PROF. FEES	0	0
3	(D) CAP. OUTLAY	0	0
4	(E) DATA PROC.	<u>0</u>	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 152,306</u>	<u>\$ 152,958</u>

6
 7 SECTION 10. APPROPRIATION - NEW HIRE REGISTRY - FEDERAL. There is hereby
 8 appropriated, to the Department of Workforce Services, to be payable from the
 9 federal funds as designated by the Chief Fiscal Officer of the State, for
 10 personal services and operating expenses of the Department of Workforce
 11 Services - New Hire Registry - Federal for the biennial period ending June
 12 30, 2009, the following:

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

25
 26 SECTION 11. APPROPRIATION - REED ACT FUNDS. There is hereby appropriated,
 27 to the Department of Workforce Services, to be payable from the cash funds as
 28 defined by Arkansas Code 19-4-801, for construction, improvement of
 29 buildings, rent and lease costs, acquisition of data processing equipment,
 30 acquisition of land, payment of salaries and related benefits, maintenance
 31 and general operation and for the payment of unemployment insurance benefits,
 32 or as prescribed by the Social Security Act of the Department of Workforce
 33 Services for the biennial period ending June 30, 2009, the sum of
 34\$77,000,000.

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 36 SECTION 12. APPROPRIATION - ADMINISTRATION BUILDING UPKEEP. There is

1 hereby appropriated, to the Department of Workforce Services, to be payable
2 from the Employment Security Special Fund, for maintenance, repairs,
3 equipment, furnishings, upkeep of the Administration Building and all other
4 agency owned buildings, and maintenance of adjacent parking areas of the
5 Department of Workforce Services for the biennial period ending June 30,
6 2009, the sum of\$455,000.

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

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15 SECTION 14. APPROPRIATION - RENT OF BUILDINGS. There is hereby
16 appropriated, to the Department of Workforce Services, to be payable from the
17 Employment Security Special Fund, for rent of buildings by the Department of
18 Workforce Services for the biennial period ending June 30, 2009, the sum of
19\$96,708.

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

26
27 SECTION 16. APPROPRIATION - TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF)
28 BLOCK GRANT PAYING. There is hereby appropriated, to the Department of
29 Workforce Services, to be payable from the paying account as determined by
30 the Chief Fiscal Officer of the State, for grant payments of the Department
31 of Workforce Services - Temporary Assistance to Needy Families (TANF) Block
32 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		

1 PROGRAM OPERATION \$ 66,590,650 \$ 66,590,650

2

3 SECTION 17. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM. There
 4 is hereby appropriated, to the Department of Workforce Services, to be
 5 payable from the Individual Development Account Trust Fund, for operating
 6 expenses of the Department of Workforce Services - Individual Development
 7 Account Program for the biennial period ending June 30, 2009, the following:

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

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

25

26 ITEM	FISCAL YEARS	
27 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
28 (01) PERSONAL SERVICES, OPERATING EXPENSES 29 AND GRANTS	<u>\$ 2,500,000</u>	<u>\$ 2,500,000</u>

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

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ITEM	FISCAL YEARS	
	2007-2008	2008-2009
<u>NO.</u>		
(01) OPERATING EXPENSES	<u>\$ 2,500,000</u>	<u>\$ 2,500,000</u>

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

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

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

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

- a) Funding from the Temporary Assistance to Needy Families block grant is needed to support a critical economic development initiative,
- b) Other funds from the Temporary Assistance to Needy Families block grant are not available beyond those needed for the operation of the TEA, Work Pays and High Wage Education and Training Programs and for an adequate reserve for possible increases in cash assistance during the current fiscal year, and
- c) Spending for the economic development initiative is allowable within

1 the federal rules governing the Temporary Assistance to Needy Families Block
2 Grant.

3 Certification of these conditions shall be made to the Governor and the
4 Chief Fiscal Officer of the State and notification shall be made to the
5 Legislative Council and the Senate and House Public Health and Welfare
6 Committees.

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

11 The provisions of this section shall be in effect only from July 1, ~~2005~~
12 2007 through June 30, ~~2007~~ 2009.

13

14 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
16 FORWARD - NEW HIRE REGISTRY. Any balance in the appropriation and funds made
17 available by this Act for the New Hire Registry which remain on June 30, ~~2006~~
18 2008, may be carried forward into the next fiscal year, to be used for the
19 same purpose.

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

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

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

35 (3) Each Agency, Board, Commission or Institution shall provide a written
36 report to the Arkansas Legislative Council or Joint Budget Committee

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

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

11 The provisions of this section shall be in effect only from July 1, ~~2005~~
12 2007 through June 30, ~~2007~~ 2009.

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

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

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

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

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

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

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

26 The provisions of this section shall be in effect only from July 1, 2005
27 2007 through June 30, 2007 2009.

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

1 amended.

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

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

9

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

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

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

26 The provisions of this section shall be in effect only from July 1, ~~2005~~
27 2007 through June 30, ~~2007~~ 2009.

28

29 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
31 OF APPROPRIATION. Subject to such rules and regulations as may be
32 implemented by the Chief Fiscal Officer of the State and after having sought
33 the prior ~~review~~ approval by the Arkansas Legislative Council or Joint Budget
34 Committee, the Director of the ~~Employment Security Department~~ Department of
35 Workforce Services is hereby authorized to make transfers from any
36 appropriation made by this Act to any other appropriation made by this Act

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

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

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

30

31 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-
33 AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR
34 NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the
35 Department of Health and Human Services and the Director of the Department of
36 Workforce Services (DWS), the Chief Fiscal Officer of the State may approve

1 up to three million six hundred forty thousand six hundred fifty dollars
2 (\$3,640,650) each fiscal year in State General Revenue appropriated to DWS
3 for the TANF program to be transferred to the Department of Health and Human
4 Services (DHHS) -Division of County Operations in support of Arkansas'
5 Temporary Assistance for Needy Families (TANF) Programs or any related
6 Separate State Programs.

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

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

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

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

1 at the federal level.

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

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

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

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

35
36 */s/ Joint Budget Committee*