

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1122

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE
10 DEPARTMENT OF WORKFORCE SERVICES FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2012; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF WORKFORCE
16 SERVICES APPROPRIATION FOR THE 2011-2012
17 FISCAL YEAR.
18
19
20

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

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Workforce Services for the 2011-2012 fiscal year, the following
25 maximum number of regular employees.
26

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2011-2012
31	(1) U037U	DWS DIRECTOR	1	\$139,551
32	(2) U070U	DWS DEPUTY DIRECTOR	1	\$115,904
33	(3) U076U	DWS WORKFORCE INVESTMENT DIRECTOR	1	\$108,451
34	(4) U036U	AR APPEALS TRIBUNAL CHAIRMAN	1	\$105,113
35	(5) G015N	DWS ASSISTANT DIRECTOR	1	GRADE N908
36	(6) N051N	DWS ASST DIR, EMPLOYMENT ASSIST	1	GRADE N908



1	(7)	N050N	DWS ASST DIR, FINANCIAL MANAGEMENT	1	GRADE N908
2	(8)	N049N	DWS ASST DIR, INFO AND TECHNOLOGY	1	GRADE N908
3	(9)	N074N	DWS ASST DIR, UNEMPLOYMENT INS	1	GRADE N908
4	(10)	G007N	DWS GENERAL COUNSEL	1	GRADE N908
5	(11)	G017N	DWS ASST DIR - TANF	1	GRADE N904
6	(12)	G016N	DWS ASST DIR GRANTS RESOURCE ADMIN	1	GRADE N904
7	(13)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE C128
8	(14)	A015C	DWS DIR INTERNAL AUDIT & SECURITY	1	GRADE C127
9	(15)	G020C	DWS PROGRAM ADMINISTRATOR	3	GRADE C127
10	(16)	A021C	AGENCY CONTROLLER I	1	GRADE C126
11	(17)	G047C	ATTORNEY SPECIALIST	2	GRADE C126
12	(18)	D017C	INFORMATION SYSTEMS SECURITY SPECIA	1	GRADE C126
13	(19)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
14	(20)	A031C	ASSISTANT CONTROLLER	3	GRADE C124
15	(21)	G073C	ATTORNEY	7	GRADE C124
16	(22)	G068C	DWS AREA OPERATIONS CHIEF	8	GRADE C124
17	(23)	D022C	SYSTEMS SPECIALIST	2	GRADE C124
18	(24)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
19	(25)	G081C	DWS DIVISION CHIEF	6	GRADE C123
20	(26)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	16	GRADE C123
21	(27)	G110C	DWS PROGRAM MANAGER	7	GRADE C121
22	(28)	G114C	DWS WORKFORCE INVEST REG ADVISOR	2	GRADE C121
23	(29)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE C121
24	(30)	G138C	AGENCY ADMINISTRATIVE REVIEW OFFICE	12	GRADE C120
25	(31)	R019C	BUDGET MANAGER	1	GRADE C120
26	(32)	R015C	DWS EQUAL OPPORTUNITY MANAGER	1	GRADE C120
27	(33)	G128C	DWS FIELD MANAGER II	16	GRADE C120
28	(34)	G127C	DWS PROGRAM OPERATIONS MANAGER	31	GRADE C120
29	(35)	E023C	TRAINING PROJECT MANAGER	2	GRADE C120
30	(36)	D062C	DATABASE ANALYST	2	GRADE C119
31	(37)	G149C	DWS FIELD MANAGER I	18	GRADE C119
32	(38)	D061C	INFORMATION SYSTEMS COORDINATION SP	2	GRADE C119
33	(39)	A066C	INTERNAL AUDITOR	5	GRADE C119
34	(40)	A065C	PAYROLL SERVICES COORDINATOR	1	GRADE C119
35	(41)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
36	(42)	X062C	QUALITY ASSURANCE COORDINATOR	1	GRADE C119

1	(43)	A060C	SENIOR AUDITOR	2	GRADE C119
2	(44)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
3	(45)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
4	(46)	A075C	FINANCIAL ANALYST I	2	GRADE C118
5	(47)	A074C	FISCAL SUPPORT SUPERVISOR	6	GRADE C118
6	(48)	A073C	PROGRAM/FIELD AUDITOR SUPERVISOR	2	GRADE C118
7	(49)	A081C	AUDITOR	7	GRADE C117
8	(50)	R027C	BUDGET SPECIALIST	9	GRADE C117
9	(51)	G181C	DWS PROGRAM MONITOR	51	GRADE C117
10	(52)	R025C	HUMAN RESOURCES ANALYST	2	GRADE C117
11	(53)	D068C	INFORMATION SYSTEMS ANALYST	1	GRADE C117
12	(54)	G179C	LEGAL SERVICES SPECIALIST	2	GRADE C117
13	(55)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
14	(56)	B076C	RESEARCH PROJECT ANALYST	17	GRADE C117
15	(57)	E040C	STAFF DEVELOPMENT COORDINATOR	1	GRADE C117
16	(58)	A089C	ACCOUNTANT I	3	GRADE C116
17	(59)	V014C	BUYER	3	GRADE C116
18	(60)	G196C	DWS SATELLITE OFFICE SUPERVISOR	9	GRADE C116
19	(61)	A085C	DWS SR FIELD TAX REPRESENTATIVE	3	GRADE C116
20	(62)	A084C	PROGRAM/FIELD AUDIT SPECIALIST	7	GRADE C116
21	(63)	P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
22	(64)	E046C	TRAINING INSTRUCTOR	21	GRADE C116
23	(65)	C037C	ADMINISTRATIVE ANALYST	24	GRADE C115
24	(66)	D079C	COMPUTER SUPPORT TECHNICIAN	1	GRADE C115
25	(67)	A092C	DWS FIELD TAX REP	19	GRADE C115
26	(68)	G209C	DWS PROGRAM SUPERVISOR	45	GRADE C115
27	(69)	C032C	DWS UI CLAIM TECHNICIAN	20	GRADE C115
28	(70)	X139C	DWS UI INVESTIGATOR	12	GRADE C115
29	(71)	A091C	FISCAL SUPPORT ANALYST	22	GRADE C115
30	(72)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
31	(73)	S032C	PRINT SHOP SUPERVISOR	1	GRADE C115
32	(74)	V015C	PURCHASING SPECIALIST	1	GRADE C115
33	(75)	S031C	SKILLED TRADESMAN	1	GRADE C115
34	(76)	G217C	DWS WORKFORCE SPECIALIST	399	GRADE C114
35	(77)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	4	GRADE C113
36	(78)	G220C	DWS UNIT SUPERVISOR	5	GRADE C113

1	(79)	R036C	HUMAN RESOURCES SPECIALIST	6	GRADE C113
2	(80)	C046C	LEGAL SUPPORT SPECIALIST	10	GRADE C113
3	(81)	S046C	MAINTENANCE TECHNICIAN	1	GRADE C113
4	(82)	C056C	ADMINISTRATIVE SPECIALIST III	16	GRADE C112
5	(83)	A098C	FISCAL SUPPORT SPECIALIST	24	GRADE C112
6	(84)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
7	(85)	S054C	PRINTER	1	GRADE C111
8	(86)	V023C	STOREROOM SUPERVISOR	1	GRADE C111
9	(87)	X183C	DWS CLAIMS ADJUDICATOR	11	GRADE C110
10	(88)	C073C	ADMINISTRATIVE SPECIALIST II	13	GRADE C109
11	(89)	V027C	INVENTORY CONTROL TECHNICIAN	1	GRADE C108
12	(90)	C087C	ADMINISTRATIVE SPECIALIST I	30	GRADE C106
13	(91)	S081C	APPRENTICE TRADESMAN	1	GRADE C105
14	(92)	C088C	MAIL SERVICES ASSISTANT	2	GRADE C105
15	(93)	S087C	INSTITUTIONAL SERVICES ASSISTANT	<u>2</u>	GRADE C103
16			MAX. NO. OF EMPLOYEES	1,002	

17
 18 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 19 to the Department of Workforce Services, to be payable from the Department of
 20 Workforce Services Trust Fund, for personal services and operating expenses
 21 of the Department of Workforce Services for the fiscal year ending June 30,
 22 2012, the following:

24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2011-2012</u>
26	(01) REGULAR SALARIES	\$37,020,266
27	(02) EXTRA HELP	4,093,000
28	(03) PERSONAL SERVICES MATCHING	12,640,090
29	(04) OVERTIME	60,000
30	(05) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	23,721,905
32	(B) CONF. & TRAVEL	705,585
33	(C) PROF. FEES	1,784,653
34	(D) CAP. OUTLAY	2,419,001
35	(E) DATA PROC.	0
36	(06) AMERICAN RECOVERY AND	

1 REINVESTMENT ACT OF 2009 3,431,245
 2 TOTAL AMOUNT APPROPRIATED \$85,875,745
 3

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

5 There is hereby appropriated, to the Department of Workforce Services, to be
 6 payable from cash funds as defined by Arkansas Code 19-4-801 of the
 7 Department of Workforce Services, for unemployment benefit payments and other
 8 expenses including, disaster relief payments, training allowances, payments
 9 to participant contractors and Unemployment Insurance Trust Fund loan
 10 repayments by the Department of Workforce Services - Unemployment Benefits
 11 and Expenses - Cash for the fiscal year ending June 30, 2012, the following:
 12

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2011-2012</u>
15 (01) DISASTER RELIEF PAYMENTS	\$5,000,000
16 (02) FEDERAL EMPLOYEES BENEFIT PAYMENTS	225,000,000
17 (03) U I BENEFITS - REIMBURSABLE EMPLOYERS	25,000,000
18 (04) U I BENEFITS - TAXABLE EMPLOYERS	600,000,000
19 (05) TRAINING ALLOWANCES	12,500,000
20 (06) PAYMENTS TO PART CONTRACTORS	13,750,000
21 (07) UI ADVANCE REPAYMENT	<u>100,000,000</u>
22 TOTAL AMOUNT APPROPRIATED	<u>\$981,250,000</u>

23
 24 SECTION 4. APPROPRIATION - AMERICAN RECOVERY AND REINVESTMENT ACT OF

25 2009. There is hereby appropriated, to the Department of Workforce Services,
 26 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the
 27 Department of Workforce Services, for costs and expenses of the American
 28 Recovery and Reinvestment Act of 2009 including, increased benefit payments
 29 and extension of benefit payments by the Department of Workforce Services for
 30 the fiscal year ending June 30, 2013, the following:
 31

32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2011-2012</u>
34 (01) AMERICAN RECOVERY AND 35 REINVESTMENT ACT OF 2009	<u>\$200,000,000</u>

36

SECTION 5. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby appropriated, to the Department of Workforce Services, to be payable from the Department of Workforce Services 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 fiscal year ending June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) ANNUAL ASSESSMENT	<u>\$26,000</u>

SECTION 6. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES, CONSTRUCTION AND RENT OF BUILDINGS. There is hereby appropriated, to the Department of Workforce Services, to be payable from the Department of Workforce Services Special Fund, for construction, maintenance and general operating expenses for the Administration Building and all other agency owned buildings, building and land acquisition, rent of buildings, and payment of unemployment benefits and expenses incurred in the administration of the Employment Security Law when such expenses exceed funds available from other sources by the Department of Workforce Services for the fiscal year ending June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) CONSTRUCTION	\$377,500
(02) RENT OF BUILDINGS	48,354
(03) PAYMENT/EXPENSES	<u>10,878,535</u>
TOTAL AMOUNT APPROPRIATED	<u>\$11,304,389</u>

SECTION 7. APPROPRIATION - WORKFORCE INVESTMENT ACT. There is hereby appropriated, to the Department of Workforce Services, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for grant payments of the Workforce Investment Act by the Department of Workforce Services for the fiscal year ending June 30, 2012, the following:

ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2011-2012</u>
2	(01) WORKFORCE INVESTMENT ACT PAYMENTS	\$60,000,000
3	(02) AMERICAN RECOVERY AND	
4	REINVESTMENT ACT OF 2009	<u>3,500,000</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$63,500,000</u>

6

7 SECTION 8. APPROPRIATION - U I TRUST FUND INTEREST/UNEMPLOYMENT

8 INSURANCE. There is hereby appropriated, to the Department of Workforce

9 Services, to be payable from the Employment Security Advance Interest Trust

10 Fund, for paying interest incurred by the state on advances from the Federal

11 Unemployment Trust Fund, making refunds of advance interest taxes or interest

12 and penalty payments which were erroneously paid, and returning moneys to the

13 Unemployment Compensation Fund Clearing Account which were incorrectly

14 identified and erroneously transferred, if needed, by the Department of

15 Workforce Services for the fiscal year ending June 30, 2012, the following:

16		
17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2011-2012</u>
19	(01) U I TRUST FUND INTEREST	\$3,000,000
20	(02) LOAN INTEREST	<u>25,000,000</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$28,000,000</u>

22

23 SECTION 9. APPROPRIATION - REED ACT FUNDS. There is hereby

24 appropriated, to the Department of Workforce Services, to be payable from

25 cash funds as defined by Arkansas Code 19-4-801 of the Department of

26 Workforce Services, for construction, improvement of buildings, rent and

27 lease costs, acquisition of data processing equipment, acquisition of land,

28 payment of salaries and related benefits, maintenance and general operation

29 and for the payment of unemployment insurance benefits, or as prescribed by

30 the Social Security Act by the Department of Workforce Services for the

31 fiscal year ending June 30, 2012, the following:

32		
33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2011-2012</u>
35	(01) REED ACT FUNDS	<u>\$38,500,000</u>

36

SECTION 10. APPROPRIATION - UI MODERNIZATION - AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA). 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 payment of salaries and related benefits, and maintenance and general operations as prescribed by the Social Security Act of 1935, as amended and the ARRA-Stimulus Act of 2009, the same being P.L. 111-5 by the Department of Workforce Services for the fiscal year ending June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>\$9,595,093</u>

SECTION 11. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BLOCK GRANT PAYING AND NEW HIRE REGISTRY. There is hereby appropriated, to the Department of Workforce Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services, maintenance and general operations, and grant payments of the Department of Workforce Services - Temporary Assistance for Needy Families (TANF) Block Grant Paying and the New Hire Registry for the fiscal year ending June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) ARKANSAS TRANSITIONAL EMPLOYMENT PROGRAM & NEW HIRE REGISTRY - PERSONAL SERVICES, MAINT. & GEN. OPERATIONS, & GRANT PAYMENTS	<u>\$64,501,053</u>

SECTION 12. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM. There is hereby appropriated, to the Department of Workforce Services, to be payable from the Individual Development Account Trust Fund, for operating expenses of the Department of Workforce Services - Individual Development Account Program for the fiscal year ending June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$0
(B) CONF. & TRAVEL	0
(C) PROF. FEES	1,700,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,700,000</u></u>

10

11 SECTION 13. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES - TRAINING
 12 TRUST FUND. There is hereby appropriated, to the Department of Workforce
 13 Services, to be payable from the Department of Workforce Services Training
 14 Trust Fund, for personal services, operating expenses, and grants for the
 15 Worker Training Program of the Department of Workforce Services - Training
 16 Trust Fund for the fiscal year ending June 30, 2012, the following:

17

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) PERSONAL SERVICES, OPERATING EXPENSES AND GRANTS	<u><u>\$5,000,000</u></u>

22

23 SECTION 14. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES -
 24 UNEMPLOYMENT INSURANCE FUND. There is hereby appropriated, to the Department
 25 of Workforce Services, to be payable from the Department of Workforce
 26 Services Unemployment Insurance Administration Fund, for operating expenses
 27 of the Unemployment Insurance Program of the Department of Workforce Services
 28 - Unemployment Insurance Fund for the fiscal year ending June 30, 2012, the
 29 following:

30

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) OPERATING EXPENSES	<u><u>\$5,000,000</u></u>

34

35 SECTION 15. APPROPRIATION - LOANS TO LOCAL WORKFORCE INVESTMENT BOARDS.
 36 There is hereby appropriated, to the Department of Workforce Services, to be

1 payable from cash funds as defined by Arkansas Code 19-4-801 of the
 2 Department of Workforce Services, for loans to local Workforce Investment
 3 Boards (WIB) for local WIB wire transfers by the Department of Workforce
 4 Services for the fiscal year ending June 30, 2012, the following:

ITEM	FISCAL YEAR
NO.	2011-2012
(01) LOANS	<u>\$1,500,000</u>

9
 10 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 12 RESTRICTIONS ON FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT INITIATIVE.
 13 Funds appropriated for Community Investment Funds from the Temporary
 14 Assistance for Needy Families (TANF) Block Grant for the fiscal years
 15 ~~2009-2010 and 2010-2011~~ 2011-2012 and 2012-2013 (combined) shall be subject
 16 to these restrictions in their use for the specified statutory purposes to
 17 the extent the funds are available:

- 18 (1) improving outcomes for youth (at least \$1,000,000),
- 19 (2) parenting and family functioning (at least \$500,000),
- 20 (3) marriage and relationship skills (at least \$500,000),
- 21 (4) fatherhood programs (at least \$500,000),
- 22 (5) family and employment services for ex-offenders (at least \$500,000),
- 23 and
- 24 (6) services to child-only TEA cases (at least \$500,000).

25
 26 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 28 SUSPENSION OR REDUCTION OF FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT
 29 INITIATIVE. Spending for the Community Investment Initiative can be
 30 suspended or reduced if the Director of the Department of Workforce Services
 31 and the Transitional Employment Board certify that

- 32 a) Funding from the Temporary Assistance for Needy Families block grant
- 33 is needed to support a critical economic development initiative,
- 34 b) Other funds from the Temporary Assistance for Needy Families block
- 35 grant are not available beyond those needed for the operation of the TEA,
- 36 Work Pays and High Wage Education and Training Programs and for an adequate

1 reserve for possible increases in cash assistance during the current fiscal
2 year, and

3 c) Spending for the economic development initiative is allowable within
4 the federal rules governing the Temporary Assistance for Needy Families Block
5 Grant.

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

10 If spending on the Community Investment Initiative is reduced, these
11 reductions shall be assessed proportionately to the funds designated by the
12 TEA Board for each of the six statutory purposes of the Community Investment
13 Initiative.

14 The provisions of this section shall be in effect only from July 1,
15 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

16

17 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
19 FORWARD - NEW HIRE REGISTRY. Any balance in the funds made available by this
20 Act for the New Hire Registry which remain on June 30, ~~2010~~ 2012, may be
21 carried forward into the next fiscal year, to be used for the same purpose.

22 Any carry forward of unexpended balance of funding as authorized
23 herein, may be carried forward under the following conditions:

24 (1) Prior to June 30, ~~2010~~ 2012 the Agency shall by written statement set
25 forth its reason(s) for the need to carry forward said funding to the
26 Department of Finance and Administration Office of Budget;

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

34 (3) Each Agency, Board, Commission or Institution shall provide a written
35 report to the Arkansas Legislative Council or Joint Budget Committee
36 containing all information set forth in item (2) above, along with a written

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

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

10 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
12 HELP. There is hereby authorized, for the Department of Workforce Services
13 for the ~~2010-2011~~ 2011-2012 fiscal year, the following maximum number of
14 part-time or temporary employees, to be known as "Extra Help", payable from
15 funds appropriated herein for such purposes: four hundred (400) temporary or
16 part-time employees, when needed, at rates of pay not to exceed those
17 provided in the Uniform Classification and Compensation Act, or its
18 successor, for the appropriate classification. Any of these positions
19 utilized in a manner which are funded by federal sources are specifically
20 exempt from limitation of hours, either by Act or Regulation.

21 The provisions of this section shall be in effect only from July 1, ~~2010~~
22 2011 through June 30, ~~2011~~ 2012.
23

24 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. "REED ACT
26 FUNDS". Funds received by the State may be used as specified in 903 of the
27 Social Security Act, for the purpose of construction and improvement of
28 buildings, rent/lease costs, acquisition of land, the payment of salaries and
29 related benefits of central and local office staff, maintenance and operation
30 of central and local offices, payment of unemployment insurance benefits, or
31 as otherwise prescribed in Section 903 of the Social Security Act, as
32 amended.

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

1 transferred to the account of this State.

2 The provisions of this section shall be in effect only from July 1,
3 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

4
5 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

21 The provisions of this section shall be in effect only from July 1,
22 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

23
24 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
26 OF APPROPRIATION. Subject to such rules and regulations as may be
27 implemented by the Chief Fiscal Officer of the State and after having sought
28 the prior approval by the Arkansas Legislative Council or Joint Budget
29 Committee, the Director of the Department of Workforce Services is hereby
30 authorized to make transfers from any appropriation made by this Act to any
31 other appropriation made by this Act with the exception of the "Reed Act
32 Funds" appropriations set forth in Sections 9 ~~and 10~~ of this Act, and of the
33 appropriation made for Regular Salaries or Maintenance and General Operation.
34 Such transfers may be made whenever it appears, by projecting the
35 expenditures of any of the appropriations in this Act, that there will be a
36 deficiency of appropriation in one item and that there will be a

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

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

23 The provisions of this section shall be in effect only from July 1,
24 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

25
26 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-
28 AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR
29 NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the
30 Department of Human Services and the Director of the Department of Workforce
31 Services (DWS), the Chief Fiscal Officer of the State may approve up to three
32 million six hundred forty thousand six hundred fifty dollars (\$3,640,650)
33 each fiscal year in State General Revenue appropriated to DWS for the TANF
34 program to be transferred to the Department of Human Services (DHS) -
35 Division of County Operations in support of Arkansas' Temporary Assistance
36 for Needy Families (TANF) Programs or any related separate state programs.

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

6 The provisions of this section shall be in effect only from July 1, ~~2010~~
7 2011 through June 30, ~~2011~~ 2012.

8
9 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
11 OF TANF BLOCK GRANT FUNDS. Each fiscal year, the Department of Workforce
12 Services shall transfer the sum of seven million five hundred thousand
13 dollars (\$7,500,000) from the state's federal Temporary Assistance for Needy
14 Families block grant to the Department of Education, Public School Fund to be
15 used solely for the Arkansas Better Chance Program.

16 If the state match for the Temporary Assistance for Needy Families grant or
17 the state's Temporary Assistance for Needy Families grant is reduced, the
18 amount to be transferred may be adjusted in proportion to the percentage
19 change in the state match or the state's Temporary Assistance for Needy
20 Families grant. The amount to be transferred may also be reduced
21 proportionately if new cost requirements are imposed upon the state as a
22 result of new or revised Temporary Assistance for Needy Families regulations
23 at the federal level.

24 The provisions of this section shall be in effect only from July 1,
25 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

26
27 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AMERICAN
29 RECOVERY AND REINVESTMENT ACT OF 2009 APPROPRIATION RESTRICTIONS. Of the
30 total funds appropriated in Section 10 of this Act, ~~a total of fifty million~~
31 ~~three hundred seventy four thousand two hundred thirty nine dollars~~
32 ~~(\$50,374,239) shall be used by the Department of Workforce Services for the~~
33 ~~payment of unemployment insurance benefits. The remaining~~ nine million five
34 hundred ninety-five thousand ninety-three dollars (\$9,595,093) shall be
35 utilized by the Department of Workforce Services for the payment of salaries
36 and related benefits and maintenance and general operation in support of and

1 administration of the Unemployment Insurance (UI) Modernization provisions
2 adopted pursuant to the ARRA - Stimulus Act of 2009. Those funds
3 specifically identified by this section for the payment of salaries and
4 related benefits and maintenance and general operation shall be considered as
5 obligations of the Department of Workforce Services for the purpose of
6 implementing and administering the UI Modernization provisions.

7 The provisions of this section shall be in effect only from July 1,
8 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

9
10 SECTION 26. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
11 authorized by this act shall be limited to the appropriation for such agency
12 and funds made available by law for the support of such appropriations; and
13 the restrictions of the State Procurement Law, the General Accounting and
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
15 Procedures and Restrictions Act, or their successors, and other fiscal
16 control laws of this State, where applicable, and regulations promulgated by
17 the Department of Finance and Administration, as authorized by law, shall be
18 strictly complied with in disbursement of said funds.

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

28
29 SECTION 28. EMERGENCY CLAUSE. It is found and determined by the
30 General Assembly, that the Constitution of the State of Arkansas prohibits
31 the appropriation of funds for more than a one (1) year period; that the
32 effectiveness of this Act on July 1, 2011 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the legislative session, the delay in the
35 effective date of this Act beyond July 1, 2011 could work irreparable harm
36 upon the proper administration and provision of essential governmental

1 programs. Therefore, an emergency is hereby declared to exist and this Act
2 being necessary for the immediate preservation of the public peace, health
3 and safety shall be in full force and effect from and after July 1, 2011.

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