

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

HOUSE BILL 1127

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, 2013; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF WORKFORCE
16 SERVICES APPROPRIATION FOR THE 2012-2013
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 2012-2013 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 2012-2013 |
|----------|------------|-----------------------------------|--------------------------|--------------------------------------------------|
| 31 | (1) U037U | DWS DIRECTOR | 1 | \$142,872 |
| 32 | (2) U070U | DWS DEPUTY DIRECTOR | 1 | \$118,662 |
| 33 | (3) U076U | DWS WORKFORCE INVESTMENT DIRECTOR | 1 | \$111,032 |
| 34 | (4) U036U | AR APPEALS TRIBUNAL CHAIRMAN | 1 | \$107,614 |
| 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 | 6 | 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 | 29 | GRADE C120 |
| 29 | (35) | E023C | TRAINING PROJECT MANAGER | 2 | GRADE C120 |
| 30 | (36) | D062C | DATABASE ANALYST | 1 | 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 | 4 | 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 | 16 | 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 | 43 | 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 | 20 | 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 | 8 | GRADE C110 |
| 10 | (88) | C073C | ADMINISTRATIVE SPECIALIST II | 11 | GRADE C109 |
| 11 | (89) | C087C | ADMINISTRATIVE SPECIALIST I | 26 | GRADE C106 |
| 12 | (90) | S081C | APPRENTICE TRADESMAN | 1 | GRADE C105 |
| 13 | (91) | S087C | INSTITUTIONAL SERVICES ASSISTANT | <u>1</u> | GRADE C103 |
| 14 | | | MAX. NO. OF EMPLOYEES | 979 | |

15

16 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 17 to the Department of Workforce Services, to be payable from the Department of
 18 Workforce Services Trust Fund, for personal services and operating expenses
 19 of the Department of Workforce Services for the fiscal year ending June 30,
 20 2013, the following:

21

| 22 | ITEM | FISCAL YEAR |
|----|---------------------------------|----------------------------|
| 23 | <u>NO.</u> | <u>2012-2013</u> |
| 24 | (01) REGULAR SALARIES | \$37,706,317 |
| 25 | (02) EXTRA HELP | 4,093,000 |
| 26 | (03) PERSONAL SERVICES MATCHING | 12,778,334 |
| 27 | (04) OVERTIME | 60,000 |
| 28 | (05) MAINT. & GEN. OPERATION | |
| 29 | (A) OPER. EXPENSE | 23,721,905 |
| 30 | (B) CONF. & TRAVEL | 705,585 |
| 31 | (C) PROF. FEES | 1,784,653 |
| 32 | (D) CAP. OUTLAY | 2,419,001 |
| 33 | (E) DATA PROC. | 0 |
| 34 | (06) AMERICAN RECOVERY AND | |
| 35 | REINVESTMENT ACT OF 2009 | <u>3,434,089</u> |
| 36 | TOTAL AMOUNT APPROPRIATED | <u><u>\$86,702,884</u></u> |

SECTION 3. APPROPRIATION - UNEMPLOYMENT BENEFITS AND EXPENSES - CASH.
 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 unemployment benefit payments and other expenses including, disaster relief payments, training allowances, payments to participant contractors and Unemployment Insurance Trust Fund loan repayments by the Department of Workforce Services - Unemployment Benefits and Expenses - Cash for the fiscal year ending June 30, 2013, the following:

| ITEM | FISCAL YEAR |
|--------------------------------------------|-----------------------------|
| <u>NO.</u> | <u>2012-2013</u> |
| (01) DISASTER RELIEF PAYMENTS | \$5,000,000 |
| (02) FEDERAL EMPLOYEES BENEFIT PAYMENTS | 225,000,000 |
| (03) U I BENEFITS - REIMBURSABLE EMPLOYERS | 25,000,000 |
| (04) U I BENEFITS - TAXABLE EMPLOYERS | 600,000,000 |
| (05) TRAINING ALLOWANCES | 12,500,000 |
| (06) PAYMENTS TO PART CONTRACTORS | 13,750,000 |
| (07) UI ADVANCE REPAYMENT | <u>100,000,000</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$981,250,000</u></u> |

SECTION 4. APPROPRIATION - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. 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 costs and expenses of the American Recovery and Reinvestment Act of 2009 including, increased benefit payments and extension of benefit payments by the Department of Workforce Services for the fiscal year ending June 30, 2013, the following:

| ITEM | FISCAL YEAR |
|-----------------------------------------------------|----------------------|
| <u>NO.</u> | <u>2012-2013</u> |
| (01) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 | <u>\$100,000,000</u> |

SECTION 5. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby appropriated, to the Department of Workforce Services, to be payable from the

1 Department of Workforce Services Special Fund, for payment of the annual
 2 assessment to maintain voting member rights in the National Association of
 3 Workforce Agencies by the Department of Workforce Services for the fiscal
 4 year ending June 30, 2013, the following:

| ITEM | FISCAL YEAR |
|------------------------|------------------|
| <u>NO.</u> | <u>2012-2013</u> |
| (01) ANNUAL ASSESSMENT | <u>\$26,000</u> |

9
 10 SECTION 6. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES,
 11 CONSTRUCTION AND RENT OF BUILDINGS. There is hereby appropriated, to the
 12 Department of Workforce Services, to be payable from the Department of
 13 Workforce Services Special Fund, for construction, maintenance and general
 14 operating expenses for the Administration Building and all other agency owned
 15 buildings, building and land acquisition, rent of buildings, and payment of
 16 unemployment benefits and expenses incurred in the administration of the
 17 Employment Security Law when such expenses exceed funds available from other
 18 sources by the Department of Workforce Services for the fiscal year ending
 19 June 30, 2013, the following:

| ITEM | FISCAL YEAR |
|---------------------------|---------------------|
| <u>NO.</u> | <u>2012-2013</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> |

27
 28 SECTION 7. APPROPRIATION - WORKFORCE INVESTMENT ACT. There is hereby
 29 appropriated, to the Department of Workforce Services, to be payable from the
 30 federal funds as designated by the Chief Fiscal Officer of the State, for
 31 grant payments of the Workforce Investment Act by the Department of Workforce
 32 Services for the fiscal year ending June 30, 2013, the following:

| ITEM | FISCAL YEAR |
|----------------------------------------|------------------|
| <u>NO.</u> | <u>2012-2013</u> |
| (01) WORKFORCE INVESTMENT ACT PAYMENTS | \$60,000,000 |

| | | |
|---|----------------------------|----------------------------|
| 1 | (02) AMERICAN RECOVERY AND | |
| 2 | REINVESTMENT ACT OF 2009 | <u>2,500,000</u> |
| 3 | TOTAL AMOUNT APPROPRIATED | <u><u>\$62,500,000</u></u> |

4

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

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

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

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

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

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

11 Unemployment Compensation Fund Clearing Account which were incorrectly

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

13 Workforce Services for the fiscal year ending June 30, 2013, the following:

14

| 15 | ITEM | FISCAL YEAR |
|----|------------------------------|----------------------------|
| 16 | <u>NO.</u> | <u>2012-2013</u> |
| 17 | (01) U I TRUST FUND INTEREST | \$3,000,000 |
| 18 | (02) LOAN INTEREST | <u>25,000,000</u> |
| 19 | TOTAL AMOUNT APPROPRIATED | <u><u>\$28,000,000</u></u> |

20

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

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

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

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

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

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

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

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

29 fiscal year ending June 30, 2013, the following:

30

| 31 | ITEM | FISCAL YEAR |
|----|---------------------|----------------------------|
| 32 | <u>NO.</u> | <u>2012-2013</u> |
| 33 | (01) REED ACT FUNDS | <u><u>\$38,500,000</u></u> |

34

35 SECTION 10. APPROPRIATION - UI MODERNIZATION - AMERICAN RECOVERY AND

36 REINVESTMENT ACT (ARRA). There is hereby appropriated, to the Department of

1 Workforce Services, to be payable from cash funds as defined by Arkansas Code
2 19-4-801 of the Department of Workforce Services, for payment of salaries and
3 related benefits, and maintenance and general operations as prescribed by the
4 Social Security Act of 1935, as amended and the ARRA-Stimulus Act of 2009,
5 the same being P.L. 111-5 by the Department of Workforce Services for the
6 fiscal year ending June 30, 2013, the following:

| 8 ITEM | FISCAL YEAR |
|--------------------------------------------------------------|--------------------|
| 9 NO. | <u>2012-2013</u> |
| 10 (01) AMERICAN RECOVERY AND 11 REINVESTMENT ACT OF 2009 | <u>\$9,595,093</u> |

12
13 SECTION 11. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
14 (TANF) BLOCK GRANT PAYING AND NEW HIRE REGISTRY. There is hereby
15 appropriated, to the Department of Workforce Services, to be payable from the
16 paying account as determined by the Chief Fiscal Officer of the State, for
17 personal services, maintenance and general operations, and grant payments of
18 the Department of Workforce Services - Temporary Assistance for Needy
19 Families (TANF) Block Grant Paying and the New Hire Registry for the fiscal
20 year ending June 30, 2013, the following:

| 22 ITEM | FISCAL YEAR |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 23 NO. | <u>2012-2013</u> |
| 24 (01) ARKANSAS TRANSITIONAL EMPLOYMENT 25 PROGRAM & NEW HIRE REGISTRY - 26 PERSONAL SERVICES, MAINT. & 27 GEN. OPERATIONS, & GRANT PAYMENTS | <u>\$64,501,053</u> |

28
29 SECTION 12. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM.
30 There is hereby appropriated, to the Department of Workforce Services, to be
31 payable from the Individual Development Account Trust Fund, for operating
32 expenses of the Department of Workforce Services - Individual Development
33 Account Program for the fiscal year ending June 30, 2013, the following:

| 35 ITEM | FISCAL YEAR |
|---------|------------------|
| 36 NO. | <u>2012-2013</u> |

| | | |
|---|------------------------------|---------------------------|
| 1 | (01) MAINT. & GEN. OPERATION | |
| 2 | (A) OPER. EXPENSE | \$0 |
| 3 | (B) CONF. & TRAVEL | 0 |
| 4 | (C) PROF. FEES | 1,700,000 |
| 5 | (D) CAP. OUTLAY | 0 |
| 6 | (E) DATA PROC. | <u>0</u> |
| 7 | TOTAL AMOUNT APPROPRIATED | <u><u>\$1,700,000</u></u> |

8

9 SECTION 13. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES - TRAINING

10 TRUST FUND. There is hereby appropriated, to the Department of Workforce
 11 Services, to be payable from the Department of Workforce Services Training
 12 Trust Fund, for personal services, operating expenses, and grants for the
 13 Worker Training Program of the Department of Workforce Services - Training
 14 Trust Fund for the fiscal year ending June 30, 2013, the following:

15

| | | |
|----|--------------------------------------------|---------------------------|
| 16 | ITEM | FISCAL YEAR |
| 17 | <u>NO.</u> | <u>2012-2013</u> |
| 18 | (01) PERSONAL SERVICES, OPERATING EXPENSES | |
| 19 | AND GRANTS | <u><u>\$5,000,000</u></u> |

20

21 SECTION 14. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES -

22 UNEMPLOYMENT INSURANCE FUND. There is hereby appropriated, to the Department
 23 of Workforce Services, to be payable from the Department of Workforce
 24 Services Unemployment Insurance Administration Fund, for operating expenses
 25 of the Unemployment Insurance Program of the Department of Workforce Services
 26 - Unemployment Insurance Fund for the fiscal year ending June 30, 2013, the
 27 following:

28

| | | |
|----|-------------------------|---------------------------|
| 29 | ITEM | FISCAL YEAR |
| 30 | <u>NO.</u> | <u>2012-2013</u> |
| 31 | (01) OPERATING EXPENSES | <u><u>\$5,000,000</u></u> |

32

33 SECTION 15. APPROPRIATION - LOANS TO LOCAL WORKFORCE INVESTMENT BOARDS.

34 There is hereby appropriated, to the Department of Workforce Services, to be
 35 payable from cash funds as defined by Arkansas Code 19-4-801 of the
 36 Department of Workforce Services, for loans to local Workforce Investment

1 Boards (WIB) for local WIB wire transfers by the Department of Workforce
 2 Services for the fiscal year ending June 30, 2013, the following:

3

| 4 ITEM | FISCAL YEAR |
|--------------|--------------------|
| 5 NO. | 2012-2013 |
| 6 (01) LOANS | <u>\$1,500,000</u> |

7

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

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

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

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

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

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

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

12 The provisions of this section shall be in effect only from July 1,
13 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

14
15 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
17 FORWARD - NEW HIRE REGISTRY. Any balance in the funds made available by this
18 Act for the New Hire Registry which remain on June 30, ~~2010~~ 2013, may be
19 carried forward into the next fiscal year, to be used for the same purpose.

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

22 (1) Prior to June 30, ~~2010~~ 2013 the Agency shall by written statement
23 set forth its reason(s) for the need to carry forward said funding to the
24 Department of Finance and Administration Office of Budget;

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

32 (3) Each Agency, Board, Commission or Institution shall provide a
33 written 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
 5 include all information obtained in item (3) above in the budget manuals
 6 and/or a statement of non-compliance by the Agency, Board, Commission or
 7 Institution.

8
 9 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 11 HELP. There is hereby authorized, for the Department of Workforce Services
 12 for the ~~2010-2011~~ 2012-2013 fiscal year, the following maximum number of
 13 part-time or temporary employees, to be known as "Extra Help", payable from
 14 funds appropriated herein for such purposes: four hundred (400) temporary or
 15 part-time employees, when needed, at rates of pay not to exceed those
 16 provided in the Uniform Classification and Compensation Act, or its
 17 successor, for the appropriate classification. Any of these positions
 18 utilized in a manner which are funded by federal sources are specifically
 19 exempt from limitation of hours, either by Act or Regulation.

20 The provisions of this section shall be in effect only from July 1,
 21 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

22
 23 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. "REED ACT
 25 FUNDS". Funds received by the State may be used as specified in 903 of the
 26 Social Security Act, for the purpose of construction and improvement of
 27 buildings, rent/lease costs, acquisition of land, the payment of salaries and
 28 related benefits of central and local office staff, maintenance and operation
 29 of central and local offices, payment of unemployment insurance benefits, or
 30 as otherwise prescribed in Section 903 of the Social Security Act, as
 31 amended.

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

1 The provisions of this section shall be in effect only from July 1,
2 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

3
4 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

20 The provisions of this section shall be in effect only from July 1,
21 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

22
23 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

25 OF APPROPRIATION. Subject to such rules and regulations as may be
26 implemented by the Chief Fiscal Officer of the State and after having sought
27 the prior approval by the Arkansas Legislative Council or Joint Budget
28 Committee, the Director of the Department of Workforce Services is hereby
29 authorized to make transfers from any appropriation made by this Act to any
30 other appropriation made by this Act with the exception of the "Reed Act
31 Funds" appropriations set forth in Section 9 of this Act, and of the
32 appropriation made for Regular Salaries or Maintenance and General Operation.
33 Such transfers may be made whenever it appears, by projecting the
34 expenditures of any of the appropriations in this Act, that there will be a
35 deficiency of appropriation in one item and that there will be a
36 corresponding excess of appropriation in another item or items which may be

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

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

22 The provisions of this section shall be in effect only from July 1,
23 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

24
25 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-
27 AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR
28 NEEDED FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the
29 Department of Human Services and the Director of the Department of Workforce
30 Services (DWS), the Chief Fiscal Officer of the State may approve up to three
31 million six hundred forty thousand six hundred fifty dollars (\$3,640,650)
32 each fiscal year in State General Revenue appropriated to DWS for the TANF
33 program to be transferred to the Department of Human Services (DHS) -
34 Division of County Operations in support of Arkansas' Temporary Assistance
35 for Needy Families (TANF) Programs or any related separate state programs.

36 The Director of the Department of Workforce Services shall provide a

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

5 The provisions of this section shall be in effect only from July 1,
6 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

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

23 The provisions of this section shall be in effect only from July 1,
24 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

25
26 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AMERICAN
28 RECOVERY AND REINVESTMENT ACT OF 2009 APPROPRIATION RESTRICTIONS. Of the
29 total funds appropriated in Section 10 of this Act, nine million five hundred
30 ninety-five thousand ninety-three dollars (\$9,595,093) shall be utilized by
31 the Department of Workforce Services for the payment of salaries and related
32 benefits and maintenance and general operation in support of and
33 administration of the Unemployment Insurance (UI) Modernization provisions
34 adopted pursuant to the ARRA - Stimulus Act of 2009. Those funds
35 specifically identified by this section for the payment of salaries and
36 related benefits and maintenance and general operation shall be considered as

1 obligations of the Department of Workforce Services for the purpose of
2 implementing and administering the UI Modernization provisions.

3 The provisions of this section shall be in effect only from July 1,
4 ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

5
6 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TANF
8 STUDY. The Department of Workforce Services shall immediately proceed with
9 issuing a Request for Proposals (RFP), or other appropriate methodology,
10 requesting qualified vendors to submit proposals for the completion of a
11 study to determine the best and most appropriate way to address the financial
12 needs of grandparents raising grandchildren through the Temporary Assistance
13 for Needy Families (TANF) Block Grant Program. Immediately upon receiving
14 responses from qualified vendors, the Department shall immediately take steps
15 to enter into a contract arrangement with the vendor that submits the lowest
16 and/or most responsible response to the RFP and begin the study. The contract
17 shall be awarded no later than June 30, 2011.

18 Questions to be addressed in the study shall include, but not be limited
19 to:

- 20 1) What program model is best for Arkansas?
- 21 2) Which children will be eligible?
- 22 3) Should payments be limited to relatives with legal guardianship,
23 unrelated foster parents, or unrelated individuals with close ties to
24 the child or family?
- 25 4) What impact will these payments have on other public benefits
26 currently received on behalf of these children?
- 27 5) What agency will determine eligibility?
- 28 6) What about child support obligations?
- 29 7) Who will regulate residence compliance?
- 30 8) Will the program require criminal background checks? If yes, who
31 will pay for it?
- 32 9) What is the actual financial impact for the TANF program?
- 33 10) What other funding sources exists for the proposed program?

34 The Department shall consider the findings of this study in conjunction
35 with the Department's TANF Program Independent Evaluation Study and the
36 evaluation of the Arkansas Career Pathways Initiative. In addition, the

1 Department shall duly consider the findings from the grandparents raising
2 grandchildren study as they prepare their annual TANF budget.

3 If the Department of Workforce Services fails to comply with all of the
4 provisions of this Section by December 31, 2011, the Department shall
5 immediately begin providing cash assistance payments to grandparents who are
6 the legal guardians of their grandchildren, and whose incomes are below 100%
7 of the Federal Poverty Level (FPL). These payments shall be paid at the rate
8 of \$100 per month per grandparent household.

9
10 SECTION 27. 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 28. 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 29. 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, 2012 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, 2012 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, 2012.

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