

1 State of Arkansas
2 92nd General Assembly
3 Fiscal Session, 2020
4

A Bill

SENATE BILL 87

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF COMMERCE
10 - DIVISION OF WORKFORCE SERVICES FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2021; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMERCE -
15 DIVISION OF WORKFORCE SERVICES
16 APPROPRIATION FOR THE 2020-2021 FISCAL
17 YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Commerce - Division of Workforce Services for the 2020-2021
25 fiscal year, the following maximum number of regular employees.
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2020-2021
31	(1)	U037U DWS DIRECTOR	1	GRADE SE03
32	(2)	U036U AR APPEALS TRIBUNAL CHAIRMAN	1	GRADE SE01
33	(3)	U065U ACE DEPUTY DIRECTOR	1	GRADE SE01
34	(4)	U070U DWS DEPUTY DIRECTOR	2	GRADE SE01
35	(5)	U076U DWS WORKFORCE INVESTMENT DIRECTOR	1	GRADE SE01
36	(6)	D007C INFORMATION SYSTEMS MANAGER	2	GRADE IT08



1	(7)	D017C INFORMATION SYSTEMS SECURITY SPEC	1	GRADE IT07
2	(8)	D038C SENIOR SOFTWARE SUPPORT ANALYST	16	GRADE IT06
3	(9)	D022C SYSTEMS SPECIALIST	2	GRADE IT06
4	(10)	D061C INFORMATION SYSTEMS COORD SPEC	2	GRADE IT05
5	(11)	D052C SOFTWARE SUPPORT ANALYST	7	GRADE IT05
6	(12)	D062C DATABASE ANALYST	1	GRADE IT04
7	(13)	D071C COMPUTER SUPPORT ANALYST	2	GRADE IT03
8	(14)	G007N DWS GENERAL COUNSEL	1	GRADE GS14
9	(15)	G017N DWS ASST DIR - TANF	1	GRADE GS13
10	(16)	N051N DWS ASST DIR, EMPLOYMENT ASSIST	1	GRADE GS13
11	(17)	N050N DWS ASST DIR, FINANCIAL MANAGEMENT	1	GRADE GS13
12	(18)	N049N DWS ASST DIR, INFO AND TECHNOLOGY	1	GRADE GS13
13	(19)	N074N DWS ASST DIR, UNEMPLOYMENT INS	1	GRADE GS13
14	(20)	A021C AGENCY CONTROLLER I	1	GRADE GS12
15	(21)	G016N DWS ASST DIR GRANTS RESOURCE ADMIN	1	GRADE GS12
16	(22)	G010C ACE DIVISION MANAGER	2	GRADE GS12
17	(23)	A015C DWS DIR INTERNAL AUDIT & SECURITY	1	GRADE GS12
18	(24)	P007N DWS DIRECTOR OF COMMUNICATIONS	1	GRADE GS12
19	(25)	G020C DWS PROGRAM ADMINISTRATOR	3	GRADE GS12
20	(26)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
21	(27)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
22	(28)	A031C ASSISTANT CONTROLLER	3	GRADE GS11
23	(29)	G047C ATTORNEY SPECIALIST	2	GRADE GS11
24	(30)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
25	(31)	G073C ATTORNEY	8	GRADE GS10
26	(32)	G068C DWS AREA OPERATIONS CHIEF	7	GRADE GS10
27	(33)	E061C ACE PROGRAM COORDINATOR	2	GRADE GS10
28	(34)	R019C BUDGET MANAGER	1	GRADE GS09
29	(35)	G288C DWS DIVISION MANAGER	4	GRADE GS09
30	(36)	R015C DWS EQUAL OPPORTUNITY MANAGER	1	GRADE GS09
31	(37)	G243C DWS FIELD MANAGER III	2	GRADE GS09
32	(38)	G110C DWS PROGRAM MANAGER	7	GRADE GS09
33	(39)	G109C GRANTS MANAGER	1	GRADE GS09
34	(40)	E062C ACE PROGRAM ADVISOR	7	GRADE GS09
35	(41)	G081C DWS DIVISION CHIEF	1	GRADE GS08
36	(42)	G128C DWS FIELD MANAGER II	18	GRADE GS08

1	(43)	G127C DWS PROGRAM OPERATIONS MANAGER	28	GRADE GS08
2	(44)	G114C DWS WORKFORCE INVEST REG ADVISOR	2	GRADE GS08
3	(45)	A066C INTERNAL AUDITOR	4	GRADE GS08
4	(46)	V007C PROCUREMENT COORDINATOR	1	GRADE GS08
5	(47)	A060C SENIOR AUDITOR	4	GRADE GS08
6	(48)	E023C TRAINING PROJECT MANAGER	2	GRADE GS08
7	(49)	R014C PERSONNEL MANAGER	1	GRADE GS08
8	(50)	A089C ACCOUNTANT I	3	GRADE GS07
9	(51)	G138C AGENCY ADMINISTRATIVE REVIEW OFFICER	10	GRADE GS07
10	(52)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
11	(53)	A081C AUDITOR	7	GRADE GS07
12	(54)	G149C DWS FIELD MANAGER I	15	GRADE GS07
13	(55)	G181C DWS PROGRAM MONITOR	48	GRADE GS07
14	(56)	G209C DWS PROGRAM SUPERVISOR	41	GRADE GS07
15	(57)	G196C DWS SATELLITE OFFICE SUPERVISOR	7	GRADE GS07
16	(58)	A085C DWS SR FIELD TAX REPRESENTATIVE	3	GRADE GS07
17	(59)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	3	GRADE GS07
18	(60)	A075C FINANCIAL ANALYST I	2	GRADE GS07
19	(61)	A065C PAYROLL SERVICES COORDINATOR	1	GRADE GS07
20	(62)	A073C PROGRAM/FIELD AUDITOR SUPERVISOR	2	GRADE GS07
21	(63)	E040C STAFF DEVELOPMENT COORDINATOR	2	GRADE GS07
22	(64)	C037C ADMINISTRATIVE ANALYST	27	GRADE GS06
23	(65)	R027C BUDGET SPECIALIST	7	GRADE GS06
24	(66)	A092C DWS FIELD TAX REP	17	GRADE GS06
25	(67)	C032C DWS UI CLAIM TECHNICIAN	18	GRADE GS06
26	(68)	X139C DWS UI INVESTIGATOR	12	GRADE GS06
27	(69)	G217C DWS WORKFORCE SPECIALIST	329	GRADE GS06
28	(70)	A074C FISCAL SUPPORT SUPERVISOR	7	GRADE GS06
29	(71)	R025C HUMAN RESOURCES ANALYST	2	GRADE GS06
30	(72)	G179C LEGAL SERVICES SPECIALIST	2	GRADE GS06
31	(73)	S017C MAINTENANCE COORDINATOR	1	GRADE GS07
32	(74)	A084C PROGRAM/FIELD AUDIT SPECIALIST	7	GRADE GS06
33	(75)	B076C RESEARCH PROJECT ANALYST	13	GRADE GS06
34	(76)	E046C TRAINING INSTRUCTOR	23	GRADE GS06
35	(77)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	4	GRADE GS05
36	(78)	V014C BUYER	3	GRADE GS05

1	(79)	G220C DWS UNIT SUPERVISOR	5	GRADE GS05
2	(80)	A091C FISCAL SUPPORT ANALYST	19	GRADE GS05
3	(81)	S033C MAINTENANCE SUPERVISOR	3	GRADE GS06
4	(82)	S032C PRINT SHOP SUPERVISOR	1	GRADE GS05
5	(83)	V015C PURCHASING SPECIALIST	1	GRADE GS05
6	(84)	C056C ADMINISTRATIVE SPECIALIST III	18	GRADE GS04
7	(85)	A098C FISCAL SUPPORT SPECIALIST	25	GRADE GS04
8	(86)	R036C HUMAN RESOURCES SPECIALIST	6	GRADE GS04
9	(87)	C046C LEGAL SUPPORT SPECIALIST	11	GRADE GS04
10	(88)	S046C MAINTENANCE TECHNICIAN	1	GRADE GS04
11	(89)	V022C PURCHASING TECHNICIAN	1	GRADE GS04
12	(90)	S031C SKILLED TRADESMAN	1	GRADE GS05
13	(91)	V023C STOREROOM SUPERVISOR	1	GRADE GS04
14	(92)	C073C ADMINISTRATIVE SPECIALIST II	12	GRADE GS03
15	(93)	S081C APPRENTICE TRADESMAN	2	GRADE GS03
16	(94)	X183C DWS CLAIMS ADJUDICATOR	6	GRADE GS03
17	(95)	S054C PRINTER	1	GRADE GS03
18	(96)	S050C MAINTENANCE SPECIALIST	1	GRADE GS03
19	(97)	C087C ADMINISTRATIVE SPECIALIST I	18	GRADE GS02
20	(98)	S087C INSTITUTIONAL SERVICES ASSISTANT	<u>1</u>	GRADE GS01
21		MAX. NO. OF EMPLOYEES	914	

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23 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 24 to the Department of Commerce, to be payable from the Division of Workforce
 25 Services Trust Fund, for personal services and operating expenses of the
 26 Department of Commerce - Division of Workforce Services - Operations for the
 27 fiscal year ending June 30, 2021, the following:

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29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2020-2021</u>
31	(01) REGULAR SALARIES	\$34,720,152
32	(02) EXTRA HELP	3,300,000
33	(03) PERSONAL SERVICES MATCHING	12,506,391
34	(04) OVERTIME	60,000
35	(05) MAINT. & GEN. OPERATION	
36	(A) OPER. EXPENSE	19,335,741

1	(B) CONF. & TRAVEL	705,440
2	(C) PROF. FEES	3,000,000
3	(D) CAP. OUTLAY	2,419,001
4	(E) DATA PROC.	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$76,046,725</u>

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

8 There is hereby appropriated, to the Department of Commerce, to be payable
 9 from cash funds as defined by Arkansas Code 19-4-801, for unemployment
 10 benefit payments and other expenses including, disaster relief payments,
 11 training allowances, payments to participant contractors and Unemployment
 12 Insurance Trust Fund loan repayments by the Department of Commerce - Division
 13 of Workforce Services - Unemployment Benefits and Expenses - Cash for the
 14 fiscal year ending June 30, 2021, the following:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2020-2021</u>
18	(01) DISASTER RELIEF PAYMENTS	\$4,000,000
19	(02) FEDERAL EMPLOYEES BENEFIT PAYMENTS	45,000,000
20	(03) U I BENEFITS - REIMBURSABLE EMPLOYERS	20,000,000
21	(04) U I BENEFITS - TAXABLE EMPLOYERS	400,000,000
22	(05) TRAINING ALLOWANCES	4,000,000
23	(06) PAYMENTS TO PART CONTRACTORS	0
24	(07) UI ADVANCE REPAYMENT	<u>1</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$473,000,001</u>

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27 SECTION 4. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby
 28 appropriated, to the Department of Commerce, to be payable from the Division
 29 of Workforce Services Special Fund, for payment of the annual assessment to
 30 maintain voting member rights in the National Association of Workforce
 31 Agencies by the Department of Commerce - Division of Workforce Services -
 32 Annual Assessments for the fiscal year ending June 30, 2021, the following:

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2020-2021</u>
36	(01) ANNUAL ASSESSMENT	<u>\$26,000</u>

SECTION 5. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.

There is hereby appropriated, to the Department of Commerce, to be payable from the Division of Workforce Services Special Fund, for construction, personal services and matching, maintenance and general operating expenses for the Administration Building and all other agency owned buildings, building land acquisition, rent of buildings, and payment of unemployment benefits and expenses incurred by the Department of Commerce - Division of Workforce Services in the administration of the Division of Workforce Services Law, the Temporary Assistance for Needy Families Program, the Arkansas Workforce Innovation and Opportunity Act and the Arkansas Works Act of 2016, or their successor programs and any other programs transferred under the direction and supervision of the Division of Workforce Services, when such expenses exceed funds available from other sources by the Department of Commerce - Division of Workforce Services - Excess Unemployment Benefits and Expenses for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) CONSTRUCTION	\$0
(02) RENT OF BUILDINGS	0
(03) PAYMENT/EXPENSES	<u>10,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$10,000,000</u>

SECTION 6. APPROPRIATION - WORKFORCE INNOVATION AND OPPORTUNITY ACT.

There is hereby appropriated, to the Department of Commerce, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for grant payments of the Workforce Innovation and Opportunity Act by the Department of Commerce - Division of Workforce Services - Workforce Innovation and Opportunity Act for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) WORKFORCE INNOVATION AND OPPORTUNITY ACT PAYMENTS	<u>\$40,000,000</u>

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SECTION 7. APPROPRIATION - U I TRUST FUND INTEREST/UNEMPLOYMENT INSURANCE. There is hereby appropriated, to the Department of Commerce, to be payable from the Employment Security Advance Interest Trust Fund, for paying interest incurred by the state on advances from the Federal Unemployment Trust Fund, making refunds of advance interest taxes or interest and penalty payments which were erroneously paid, and returning moneys to the Unemployment Compensation Fund Clearing Account which were incorrectly identified and erroneously transferred, if needed by the Department of Commerce - Division of Workforce Services - UI Trust Fund Interest/Unemployment Insurance for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) U I TRUST FUND INTEREST	\$3,000,000
(02) LOAN INTEREST	<u>1</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$3,000,001</u></u>

SECTION 8. APPROPRIATION - REED ACT FUNDS. There is hereby appropriated, to the Department of Commerce, to be payable from cash funds as defined by Arkansas Code 19-4-801, for construction, improvement of buildings, rent and lease costs, acquisition of data processing equipment, acquisition of land, payment of salaries and related benefits, maintenance and general operation and for the payment of unemployment insurance benefits, or as prescribed by the Social Security Act of the Department of Commerce - Division of Workforce Services - Reed Act Funds for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REED ACT FUNDS	<u><u>\$1</u></u>

SECTION 9. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT PAYING AND NEW HIRE REGISTRY. There is hereby appropriated, to the Department of Commerce, 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 by the Department of Commerce - Division of Workforce Services - Temporary Assistance for Needy Families Block Grant Paying and New Hire Registry for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) AR TRANSITIONAL EMPLOYMENT PRGM & NEW HIRE REGISTRY-PRSN SRVS, MAINT & GEN OPRS, & GRANT PAYMENTS	<u>\$39,879,079</u>

SECTION 10. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM.

There is hereby appropriated, to the Department of Commerce, to be payable from the Individual Development Account Trust Fund, for Operating Expenses of the Department of Commerce - Division of Workforce Services - Individual Development Account Program for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$0
(B) CONF. & TRAVEL	0
(C) PROF. FEES	141,738
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$141,738</u>

SECTION 11. APPROPRIATION - DIVISION OF WORKFORCE SERVICES - TRAINING TRUST FUND.

There is hereby appropriated, to the Department of Commerce, to be payable from the Division of Workforce Services Training Trust Fund, for personal services, operating expenses, and grants for the Worker Training Program of the Department of Commerce - Division of Workforce Services - Training Trust Fund for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) PERSONAL SERVICES, OPERATING EXPENSES AND GRANTS	<u>\$3,256,577</u>

SECTION 12. APPROPRIATION - DIVISION OF WORKFORCE SERVICES - UNEMPLOYMENT INSURANCE ADMINISTRATION FUND. There is hereby appropriated, to the Department of Commerce, to be payable from the Division of Workforce Services Unemployment Insurance Administration Fund, for personal services and operating expenses of the Department of Commerce - Division of Workforce Services - Unemployment Insurance Administration Fund for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) ADMINISTRATION EXPENSES	<u>\$6,000,000</u>

SECTION 13. APPROPRIATION - LOANS TO LOCAL WORKFORCE DEVELOPMENT BOARDS. There is hereby appropriated, to the Department of Commerce, to be payable from cash funds as defined by Arkansas Code 19-4-801, for loans to local Workforce Development Boards (WDB) for local WDB wire transfers by the Department of Commerce - Division of Workforce Services for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) LOANS	<u>\$1,500,000</u>

SECTION 14. APPROPRIATION - WORKFORCE DEVELOPMENT GRANT. There is hereby appropriated, to the Department of Commerce, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, maintenance and general operations and grant payments of the Department of Commerce - Division of Workforce Services - Workforce Development Grant for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2020-2021</u>
2	(01) WORKFORCE DEVELOPMENT GRANT	<u>\$9,000,000</u>

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 4 SECTION 15. APPROPRIATION - TAA VENDOR PAYMENTS. There is hereby
 5 appropriated, to the Department of Commerce, to be payable from the cash fund
 6 deposited in the State Treasury as determined by the Chief Fiscal Officer of
 7 the State, for Vendor Payments of the Trade Adjustment Assistance Program by
 8 the Department of Commerce - Division of Workforce Services - TAA Vendor
 9 Payments for the fiscal year ending June 30, 2021, the following:

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11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2020-2021</u>
13	(01) TAA VENDOR PAYMENTS	<u>\$8,000,000</u>

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 15 SECTION 16. APPROPRIATION - ADULT EDUCATION ADMINISTRATION -
 16 OPERATIONS. There is hereby appropriated, to the Department of Commerce, to
 17 be payable from the Division of Workforce Services Fund, for personal
 18 services and operating expenses of the Department of Commerce - Division of
 19 Workforce Services - Adult Education Administration - Operations for the
 20 fiscal year ending June 30, 2021, the following:

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22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2020-2021</u>
24	(01) REGULAR SALARIES	\$620,332
25	(02) EXTRA HELP	7,000
26	(03) PERSONAL SERVICES MATCHING	203,834
27	(04) MAINT. & GEN. OPERATION	
28	(A) OPER. EXPENSE	190,000
29	(B) CONF. & TRAVEL	10,500
30	(C) PROF. FEES	0
31	(D) CAP. OUTLAY	0
32	(E) DATA PROC.	<u>0</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$1,031,666</u>

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 35 SECTION 17. APPROPRIATION - ADULT BASIC EDUCATION. There is hereby
 36 appropriated, to the Department of Commerce, to be payable from the Division

1 of Workforce Services Fund, for personal services and operating expenses of
 2 the Department of Commerce - Division of Workforce Services - Adult Basic
 3 Education for the fiscal year ending June 30, 2021, the following:

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5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2020-2021</u>
7 (01) REGULAR SALARIES	\$402,488
8 (02) PERSONAL SERVICES MATCHING	126,516
9 (03) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	24,507
11 (B) CONF. & TRAVEL	0
12 (C) PROF. FEES	0
13 (D) CAP. OUTLAY	0
14 (E) DATA PROC.	<u>0</u>
15 TOTAL AMOUNT APPROPRIATED	<u><u>\$553,511</u></u>

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17 SECTION 18. APPROPRIATION - FEDERAL ADULT BASIC EDUCATION. There is
 18 hereby appropriated, to the Department of Commerce, to be payable from the
 19 federal funds as designated by the Chief Fiscal Officer of the State, for
 20 personal services, operating expenses and grants by the Department of
 21 Commerce - Division of Workforce Services - Federal Adult Basic Education for
 22 the fiscal year ending June 30, 2021, the following:

23

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2020-2021</u>
26 (01) REGULAR SALARIES	\$170,852
27 (02) PERSONAL SERVICES MATCHING	53,934
28 (03) MAINT. & GEN. OPERATION	
29 (A) OPER. EXPENSE	77,467
30 (B) CONF. & TRAVEL	25,200
31 (C) PROF. FEES	9,000
32 (D) CAP. OUTLAY	0
33 (E) DATA PROC.	0
34 (04) ADULT BASIC EDUCATION GRANTS	<u>7,990,160</u>
35 TOTAL AMOUNT APPROPRIATED	<u><u>\$8,326,613</u></u>

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1 SECTION 19. APPROPRIATION - GOVERNOR'S COMMISSION ON ADULT LITERACY.
 2 There is hereby appropriated, to the Department of Commerce, to be payable
 3 from the Division of Career and Technical Education Public School Fund
 4 Account, for personal services, operating expenses, and grants by the
 5 Department of Commerce - Division of Workforce Services - Governor's
 6 Commission on Adult Literacy for the fiscal year ending June 30, 2021, the
 7 following:

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9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2020-2021</u>
11 (01) REGULAR SALARIES	\$26,411
12 (02) PERSONAL SERVICES MATCHING	8,435
13 (03) MAINT. & GEN. OPERATION	
14 (A) OPER. EXPENSE	52,242
15 (B) CONF. & TRAVEL	6,005
16 (C) PROF. FEES	0
17 (D) CAP. OUTLAY	0
18 (E) DATA PROC.	0
19 (04) GRANTS TO LITERACY COUNCILS	<u>675,000</u>
20 TOTAL AMOUNT APPROPRIATED	<u><u>\$768,093</u></u>

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22 SECTION 20. APPROPRIATION - ADULT BASIC AND GENERAL EDUCATION. There
 23 is hereby appropriated, to the Department of Commerce, to be payable from the
 24 Division of Career and Technical Education Public School Fund Account, for
 25 Adult Basic and General Adult Education grants and aid by the Department of
 26 Commerce - Division of Workforce Services - Adult Basic and General Education
 27 for the fiscal year ending June 30, 2021, the following:

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29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2020-2021</u>
31 (01) ADULT BASIC & GENERAL ADULT EDUCATION	<u>\$19,860,569</u>

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33 SECTION 21. APPROPRIATION - GED TESTING. There is hereby appropriated,
 34 to the Department of Commerce, to be payable from the Division of Career and
 35 Technical Education Public School Fund Account, for the cost of individuals
 36 taking the General Education Development (GED) test and official practice

1 test of the Department of Commerce - Division of Workforce Services - GED
 2 Testing for the fiscal year ending June 30, 2021, the following:

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4 ITEM 5 NO.	FISCAL YEAR 2020-2021
6 (01) GED TEST COSTS	<u>\$350,000</u>

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8 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 10 FORWARD - NEW HIRE REGISTRY. Any balance in the funds made available by this
 11 Act for the New Hire Registry which remain on June 30, ~~2020~~ 2021, may be
 12 carried forward into the next fiscal year, to be used for the same purpose.

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

15 (1) Prior to June 30, ~~2020~~ 2021 the Agency shall by written statement
 16 set forth its reason(s) for the need to carry forward said funding to the
 17 Department of Finance and Administration Office of Budget;

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

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

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

1 The provisions of this section shall be in effect only from July 1, ~~2019~~
2 2020 through June 30, ~~2020~~ 2021.

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4 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
6 HELP. There is hereby authorized, for the Department of Workforce Services
7 for the ~~2019-2020~~ 2020-2021 fiscal year, the following maximum number of
8 part-time or temporary employees, to be known as "Extra Help", payable from
9 funds appropriated herein for such purposes: four hundred thirty three (433)
10 temporary or part-time employees, when needed, at rates of pay not to exceed
11 those provided in the Uniform Classification and Compensation Act, or its
12 successor, for the appropriate classification. Any of these positions
13 utilized in a manner which are funded by federal sources are specifically
14 exempt from limitation of hours, either by Act or Regulation.

15 In order to comply with the timeliness requirements set forth by the
16 Social Security Act, the Chairman of the Board of Review is authorized to
17 utilize part-time or temporary employees from the pool of positions provided
18 to the Department of Workforce Services in any occurrence where the number of
19 appeals to the Board of Review or Appeal Tribunal increases above a level
20 that can be resolved by the permanent staff in a timely manner. The
21 Department of Workforce Services will determine the appropriate funding
22 source within the Department for said positions.

23 The provisions of this section shall be in effect only from July 1, ~~2019~~
24 2020 through June 30, ~~2020~~ 2021.

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

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

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

4 The provisions of this section shall be in effect only from July 1, ~~2019~~
5 2020 through June 30, ~~2020~~ 2021.

6
7 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

23 The provisions of this section shall be in effect only from July 1, ~~2019~~
24 2020 through June 30, ~~2020~~ 2021.

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

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

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

25 The provisions of this section shall be in effect only from July 1, ~~2019~~
26 2020 through June 30, ~~2020~~ 2021.

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

1 Operations in support of Arkansas' TANF Programs or any related separate
2 state programs.

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

8 The provisions of this section shall be in effect only from July 1, ~~2019~~
9 2020 through June 30, ~~2020~~ 2021.

10

11 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
13 OF TANF BLOCK GRANT FUNDS. Each fiscal year, the Department of Workforce
14 Services shall transfer the sum of seven million five hundred thousand
15 dollars (\$7,500,000) from the state's federal Temporary Assistance for Needy
16 Families block grant to the Department of Education Public School Fund
17 Account to be used solely for the Arkansas Better Chance Program.

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

26 The provisions of this section shall be in effect only from July 1, ~~2019~~
27 2020 through June 30, ~~2020~~ 2021.

28

29 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRAINING
31 TRUST FUND TRANSFER. Immediately upon the effective date of this Act, the
32 Chief Fiscal Officer of the State shall transfer on his or her books and
33 those of the State Treasurer and the Auditor of the State the sum of two
34 million five hundred thousand dollars (\$2,500,000) from the Division of
35 Workforce Services Training Trust Fund to the Skills Development Fund.

36 The provisions of this section shall be in effect only from July 1, ~~2019~~

1 2020 through June 30, ~~2020~~ 2021.

2

3 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
5 RESTRICTIONS ON FINANCIAL ASSISTANCE UNDER THE TEMPORARY ASSISTANCE FOR NEEDY
6 FAMILIES PROGRAM.

7 (a)(1) Determining the maximum number of employees, the maximum amount
8 of appropriation, for what purposes an appropriation is authorized, and
9 general revenue funding for a state agency each fiscal year is the
10 prerogative of the General Assembly.

11 (2) The purposes of subsection (a) of this section are typically
12 accomplished by:

13 (A) Identifying the purpose in the appropriation act;

14 (B) Delineating such maximums in the appropriation act for
15 a state agency; and

16 (C) Delineating the general revenue allocations authorized
17 for each fund and fund account by amendment to the revenue stabilization law.

18 (3) It is both necessary and appropriate that the General
19 Assembly restrict the use of appropriations authorized in this act.

20 (b)(1) Upon the request of the Governor or the General Assembly, the
21 Department of Workforce Services shall request a waiver from the federal
22 government to:

23 (A) Restrict the financial assistance granted to a
24 recipient of the Temporary Assistance for Needy Families Program or its
25 successor program to purchase goods and services that are considered
26 essential and necessary for the welfare of the family, including without
27 limitation:

28 (i) Food;

29 (ii) Clothing;

30 (iii) Housing;

31 (iv) Utilities;

32 (v) Child care; and

33 (vi) Incidentals, including without limitation
34 transportation and medicine or medical supplies or equipment not covered by
35 either the Arkansas Medicaid Program or the health benefit plan of the
36 individual; and

1 (b) Restrict the cash withdrawal from an electronic
2 benefit transfer card account that receives financial assistance under the
3 Temporary Assistance for Needy Families Program or its successor program by
4 electronic benefit transfer system.

5 (2) If the federal government denies the waiver application,
6 this section shall not be implemented.

7 (3) If the department does not request a wavier under
8 subdivision (b)(1) of this section, the department shall not allocate,
9 budget, expend, or utilize appropriations under this act for the
10 participation of persons in the Temporary Assistance for Needy Families
11 Program.

12 The provisions of this section shall be in effect only from July 1, ~~2019~~
13 2020 through June 30, ~~2020~~ 2021.

14
15 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEDERAL
17 MATCHING. The funds appropriated in Sections for Adult Basic and General
18 Adult Education of this Act may also be used to match any available federal
19 funds from any agency in order to provide the maximum amount of money
20 possible for the purposes enumerated in such Section.

21 The provisions of this section shall be in effect only from July 1, ~~2019~~
22 2020 through June 30, ~~2020~~ 2021.

23
24 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADULT
26 EDUCATION DISTRIBUTION. All funds that become available for Adult Education
27 shall be distributed to those administrative units determined to be operating
28 efficient adult education programs, under criteria established by the Career
29 Education and Workforce Development Board. The criteria shall include the
30 relative efficiency of administration of the program in the counties served
31 and achievement of federal performance indicators. The Career Education and
32 Workforce Development Board shall promulgate rules and regulations for the
33 distribution of funds in accordance with criteria to be determined by the
34 Board. In the distribution of funds to local units the Board shall consider
35 performance in meeting state and federal performance indicators. Unallocated
36 funds will be redistributed based upon need as determined by the Career

1 Education and Workforce Development Board.

2 The provisions of this section shall be in effect only from July 1, ~~2019~~
3 2020 through June 30, ~~2020~~ 2021.

4
5 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
7 OF FUNDS - PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall
8 establish, upon request from the Department of Career Education, a special
9 appropriation line item to be used in the acquisition of promotional items.
10 When the Department of Career Education wishes to transfer monies from its
11 operating expenses appropriation to the Promotional Items line, the Career
12 Education and Workforce Development Board shall approve the request and
13 forward it after receiving prior review and approval by the Arkansas
14 Legislative Council or Joint Budget Committee, to the Chief Fiscal Officer of
15 the State for processing.

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

32 The provisions of this section shall be in effect only from July 1, ~~2019~~
33 2020 through June 30, ~~2020~~ 2021.

34
35 SECTION 34. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
36 authorized by this act shall be limited to the appropriation for such agency

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

8
9 SECTION 35. LEGISLATIVE INTENT. It is the intent of the General
10 Assembly that any funds disbursed under the authority of the appropriations
11 contained in this act shall be in compliance with the stated reasons for
12 which this act was adopted, as evidenced by the Agency Requests, Executive
13 Recommendations and Legislative Recommendations contained in the budget
14 manuals prepared by the Department of Finance and Administration, letters, or
15 summarized oral testimony in the official minutes of the Arkansas Legislative
16 Council or Joint Budget Committee which relate to its passage and adoption.

17
18 SECTION 36. EMERGENCY CLAUSE. It is found and determined by the
19 General Assembly, that the Constitution of the State of Arkansas prohibits
20 the appropriation of funds for more than a one (1) year period; that the
21 effectiveness of this Act on July 1, 2020 is essential to the operation of
22 the agency for which the appropriations in this Act are provided, and that in
23 the event of an extension of the legislative session, the delay in the
24 effective date of this Act beyond July 1, 2020 could work irreparable harm
25 upon the proper administration and provision of essential governmental
26 programs. Therefore, an emergency is hereby declared to exist and this Act
27 being necessary for the immediate preservation of the public peace, health
28 and safety shall be in full force and effect from and after July 1, 2020.