

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

As Engrossed: S4/15/20

# 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.  
12  
13

### Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMERCE -  
15 DIVISION OF WORKFORCE SERVICES  
16 APPROPRIATION FOR THE 2020-2021 FISCAL  
17 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 Commerce - Division of Workforce Services for the 2020-2021  
25 fiscal year, the following maximum number of regular employees.  
26

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	

22

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:

28

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2020-2021</u>
31	(01) REGULAR SALARIES	\$34,720,152
32	(02) EXTRA HELP	3,800,000
33	(03) PERSONAL SERVICES MATCHING	12,506,391
34	(04) OVERTIME	1,060,000
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><u>\$77,546,725</u></u>

6

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:

15

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	455,000,000
20	(03) U I BENEFITS - REIMBURSABLE EMPLOYERS	20,000,000
21	(04) U I BENEFITS - TAXABLE EMPLOYERS	2,000,000,000
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><u>\$2,483,000,001</u></u>

26

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

28 *There is hereby appropriated, to the Department of Commerce, to be payable*  
 29 *from cash funds as defined by Arkansas Code 19-4-801, for unemployment*  
 30 *benefit payments and other expenses including, disaster relief payments,*  
 31 *training allowances, payments to participant contractors and Unemployment*  
 32 *Insurance Trust Fund loan repayments by the Department of Commerce - Division*  
 33 *of Workforce Services - Unemployment Benefits and Expenses - Cash for the*  
 34 *fiscal year ending June 30, 2020, the following:*

35

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>

1	(01) FEDERAL EMPLOYEES BENEFITS PAYMENTS	\$1,070,000,000
2	(02) U I BENEFITS - TAXABLE EMPLOYERS	<u>300,000,000</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$1,370,000,000</u>

4  
 5 SECTION 5. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby  
 6 appropriated, to the Department of Commerce, to be payable from the Division  
 7 of Workforce Services Special Fund, for payment of the annual assessment to  
 8 maintain voting member rights in the National Association of Workforce  
 9 Agencies by the Department of Commerce - Division of Workforce Services -  
 10 Annual Assessments for the fiscal year ending June 30, 2021, the following:

12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2020-2021</u>
14	(01) ANNUAL ASSESSMENT	<u>\$26,000</u>

15  
 16 SECTION 6. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.  
 17 There is hereby appropriated, to the Department of Commerce, to be payable  
 18 from the Division of Workforce Services Special Fund, for construction,  
 19 personal services and matching, maintenance and general operating expenses  
 20 for the Administration Building and all other agency owned buildings,  
 21 building land acquisition, rent of buildings, and payment of unemployment  
 22 benefits and expenses incurred by the Department of Commerce - Division of  
 23 Workforce Services in the administration of the Division of Workforce  
 24 Services Law, the Temporary Assistance for Needy Families Program, the  
 25 Arkansas Workforce Innovation and Opportunity Act and the Arkansas Works Act  
 26 of 2016, or their successor programs and any other programs transferred under  
 27 the direction and supervision of the Division of Workforce Services, when  
 28 such expenses exceed funds available from other sources by the Department of  
 29 Commerce - Division of Workforce Services - Excess Unemployment Benefits and  
 30 Expenses for the fiscal year ending June 30, 2021, the following:

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2020-2021</u>
34	(01) CONSTRUCTION	\$0
35	(02) RENT OF BUILDINGS	0
36	(03) PAYMENT/EXPENSES	<u>10,000,000</u>

1 TOTAL AMOUNT APPROPRIATED \$10,000,000

2

3 SECTION 7. APPROPRIATION - WORKFORCE INNOVATION AND OPPORTUNITY ACT.

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

10

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

15

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

17 INSURANCE. There is hereby appropriated, to the Department of Commerce, to  
18 be payable from the Employment Security Advance Interest Trust Fund, for  
19 paying interest incurred by the state on advances from the Federal  
20 Unemployment Trust Fund, making refunds of advance interest taxes or interest  
21 and penalty payments which were erroneously paid, and returning moneys to the  
22 Unemployment Compensation Fund Clearing Account which were incorrectly  
23 identified and erroneously transferred, if needed by the Department of  
24 Commerce - Division of Workforce Services - UI Trust Fund  
25 Interest/Unemployment Insurance for the fiscal year ending June 30, 2021, the  
26 following:

27

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

33

34 SECTION 9. APPROPRIATION - REED ACT FUNDS. There is hereby  
35 appropriated, to the Department of Commerce, to be payable from cash funds as  
36 defined by Arkansas Code 19-4-801, for construction, improvement of

1 buildings, rent and lease costs, acquisition of data processing equipment,  
 2 acquisition of land, payment of salaries and related benefits, maintenance  
 3 and general operation and for the payment of unemployment insurance benefits,  
 4 or as prescribed by the Social Security Act of the Department of Commerce -  
 5 Division of Workforce Services - Reed Act Funds for the fiscal year ending  
 6 June 30, 2021, the following:

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

11

12 SECTION 10. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES  
 13 BLOCK GRANT PAYING AND NEW HIRE REGISTRY. There is hereby appropriated, to  
 14 the Department of Commerce, to be payable from the paying account as  
 15 determined by the Chief Fiscal Officer of the State, for personal services,  
 16 maintenance and general operations, and grant payments by the Department of  
 17 Commerce - Division of Workforce Services - Temporary Assistance for Needy  
 18 Families Block Grant Paying and New Hire Registry for the fiscal year ending  
 19 June 30, 2021, the following:

20

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

26

27 SECTION 11. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM.  
 28 There is hereby appropriated, to the Department of Commerce, to be payable  
 29 from the Individual Development Account Trust Fund, for Operating Expenses of  
 30 the Department of Commerce - Division of Workforce Services - Individual  
 31 Development Account Program for the fiscal year ending June 30, 2021, the  
 32 following:

33

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2020-2021</u>
36	(01) MAINT. & GEN. OPERATION	



1	(A) OPER. EXPENSE	\$0
2	(B) CONF. & TRAVEL	0
3	(C) PROF. FEES	141,738
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$141,738</u></u>

7

8 SECTION 12. APPROPRIATION - DIVISION OF WORKFORCE SERVICES - TRAINING

9 TRUST FUND. There is hereby appropriated, to the Department of Commerce, to

10 be payable from the Division of Workforce Services Training Trust Fund, for

11 personal services, operating expenses, and grants for the Worker Training

12 Program of the Department of Commerce - Division of Workforce Services -

13 Training Trust Fund for the fiscal year ending June 30, 2021, the following:

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

19

20 SECTION 13. APPROPRIATION - DIVISION OF WORKFORCE SERVICES -

21 UNEMPLOYMENT INSURANCE ADMINISTRATION FUND. There is hereby appropriated, to

22 the Department of Commerce, to be payable from the Division of Workforce

23 Services Unemployment Insurance Administration Fund, for personal services

24 and operating expenses of the Department of Commerce - Division of Workforce

25 Services - Unemployment Insurance Administration Fund for the fiscal year

26 ending June 30, 2021, the following:

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

31

32 SECTION 14. APPROPRIATION - LOANS TO LOCAL WORKFORCE DEVELOPMENT

33 BOARDS. There is hereby appropriated, to the Department of Commerce, to be

34 payable from cash funds as defined by Arkansas Code 19-4-801, for loans to

35 local Workforce Development Boards (WDB) for local WDB wire transfers by the

36 Department of Commerce - Division of Workforce Services for the fiscal year

1 ending June 30, 2021, the following:

2

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

6

7 SECTION 15. APPROPRIATION - WORKFORCE DEVELOPMENT GRANT. There is  
 8 hereby appropriated, to the Department of Commerce, to be payable from the  
 9 federal funds as designated by the Chief Fiscal Officer of the State, for  
 10 personal services, maintenance and general operations and grant payments of  
 11 the Department of Commerce - Division of Workforce Services - Workforce  
 12 Development Grant for the fiscal year ending June 30, 2021, the following:

13

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

17

18 SECTION 16. APPROPRIATION - TAA VENDOR PAYMENTS. There is hereby  
 19 appropriated, to the Department of Commerce, to be payable from the cash fund  
 20 deposited in the State Treasury as determined by the Chief Fiscal Officer of  
 21 the State, for Vendor Payments of the Trade Adjustment Assistance Program by  
 22 the Department of Commerce - Division of Workforce Services - TAA Vendor  
 23 Payments for the fiscal year ending June 30, 2021, the following:

24

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2020-2021</u>
27 (01) TAA VENDOR PAYMENTS	<u>\$8,000,000</u>

28

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

35

36 ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2020-2021</u>
2	(01) REGULAR SALARIES	\$620,332
3	(02) EXTRA HELP	7,000
4	(03) PERSONAL SERVICES MATCHING	203,834
5	(04) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	190,000
7	(B) CONF. & TRAVEL	10,500
8	(C) PROF. FEES	0
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,031,666</u></u>

12

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

18

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2020-2021</u>
21	(01) REGULAR SALARIES	\$402,488
22	(02) PERSONAL SERVICES MATCHING	126,516
23	(03) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	24,507
25	(B) CONF. & TRAVEL	0
26	(C) PROF. FEES	0
27	(D) CAP. OUTLAY	0
28	(E) DATA PROC.	<u>0</u>
29	TOTAL AMOUNT APPROPRIATED	<u><u>\$553,511</u></u>

30

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

1		
2	ITEM	FISCAL YEAR
3	<u>NO.</u>	<u>2020-2021</u>
4	(01) REGULAR SALARIES	\$170,852
5	(02) PERSONAL SERVICES MATCHING	53,934
6	(03) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	77,467
8	(B) CONF. & TRAVEL	25,200
9	(C) PROF. FEES	9,000
10	(D) CAP. OUTLAY	0
11	(E) DATA PROC.	0
12	(04) ADULT BASIC EDUCATION GRANTS	<u>7,990,160</u>
13	TOTAL AMOUNT APPROPRIATED	<u><u>\$8,326,613</u></u>

14

## 15 SECTION 20. APPROPRIATION - GOVERNOR'S COMMISSION ON ADULT LITERACY.

16 There is hereby appropriated, to the Department of Commerce, to be payable  
 17 from the Division of Career and Technical Education Public School Fund  
 18 Account, for personal services, operating expenses, and grants by the  
 19 Department of Commerce - Division of Workforce Services - Governor's  
 20 Commission on Adult Literacy for the fiscal year ending June 30, 2021, the  
 21 following:

22

23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2020-2021</u>
25	(01) REGULAR SALARIES	\$26,411
26	(02) PERSONAL SERVICES MATCHING	8,435
27	(03) MAINT. & GEN. OPERATION	
28	(A) OPER. EXPENSE	52,242
29	(B) CONF. & TRAVEL	6,005
30	(C) PROF. FEES	0
31	(D) CAP. OUTLAY	0
32	(E) DATA PROC.	0
33	(04) GRANTS TO LITERACY COUNCILS	<u>675,000</u>
34	TOTAL AMOUNT APPROPRIATED	<u><u>\$768,093</u></u>

35

## 36 SECTION 21. APPROPRIATION - ADULT BASIC AND GENERAL EDUCATION. There

1 is hereby appropriated, to the Department of Commerce, to be payable from the  
2 Division of Career and Technical Education Public School Fund Account, for  
3 Adult Basic and General Adult Education grants and aid by the Department of  
4 Commerce - Division of Workforce Services - Adult Basic and General Education  
5 for the fiscal year ending June 30, 2021, the following:

6		
7	ITEM	FISCAL YEAR
8	<u>NO.</u>	<u>2020-2021</u>
9	(01) ADULT BASIC & GENERAL ADULT EDUCATION	<u>\$19,860,569</u>

10

11 SECTION 22. APPROPRIATION - GED TESTING. There is hereby appropriated,  
12 to the Department of Commerce, to be payable from the Division of Career and  
13 Technical Education Public School Fund Account, for the cost of individuals  
14 taking the General Education Development (GED) test and official practice  
15 test of the Department of Commerce - Division of Workforce Services - GED  
16 Testing for the fiscal year ending June 30, 2021, the following:

17

18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2020-2021</u>
20	(01) GED TEST COSTS	<u>\$350,000</u>

21

22 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
24 FORWARD - NEW HIRE REGISTRY. Any balance in the funds made available by this  
25 Act for the New Hire Registry which remain on June 30, ~~2020~~ 2021, may be  
26 carried forward into the next fiscal year, to be used for the same purpose.

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

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

32 (2) The Department of Finance and Administration Office of Budget shall  
33 report to the Arkansas Legislative Council all amounts carried forward by the  
34 September Arkansas Legislative Council or Joint Budget Committee meeting  
35 which report shall include the name of the Agency, Board, Commission or  
36 Institution and the amount of the funding carried forward, the program name

1 or line item, the funding source of that appropriation and a copy of the  
2 written request set forth in (1) above;

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

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

15 The provisions of this section shall be in effect only from July 1, ~~2019~~  
16 2020 through June 30, ~~2020~~ 2021.

17

18 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
20 HELP. There is hereby authorized, for the Department of Workforce Services  
21 for the ~~2019-2020~~ 2020-2021 fiscal year, the following maximum number of  
22 part-time or temporary employees, to be known as "Extra Help", payable from  
23 funds appropriated herein for such purposes: four hundred thirty three (433)  
24 temporary or part-time employees, when needed, at rates of pay not to exceed  
25 those provided in the Uniform Classification and Compensation Act, or its  
26 successor, for the appropriate classification. Any of these positions  
27 utilized in a manner which are funded by federal sources are specifically  
28 exempt from limitation of hours, either by Act or Regulation.

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

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

3  
4 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. "REED ACT  
6 FUNDS". Funds received by the State may be used as specified in Section 903  
7 of the Social Security Act, for the purpose of construction and improvement  
8 of buildings, rent/lease costs, acquisition of land, the payment of salaries  
9 and related benefits of central and local office staff, maintenance and  
10 operation of central and local offices, payment of unemployment insurance  
11 benefits, or as otherwise prescribed in Section 903 of the Social Security  
12 Act, as amended.

13 The amount obligated pursuant to this Act shall not exceed the amount by  
14 which (a) the aggregate of the amounts transferred to the account of this  
15 State pursuant to Section 903 of the Social Security Act exceeds (b) the  
16 aggregate of the amounts used by this State and charged against the amounts  
17 transferred to the account of this State.

18 The provisions of this section shall be in effect only from July 1, ~~2019~~  
19 2020 through June 30, ~~2020~~ 2021.

20  
21 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
23 ADDITIONAL POSITIONS. The Director of the Department of Workforce Services,  
24 after receiving the approval of the Office of Personnel Management, and after  
25 seeking the prior review by the Arkansas Legislative Council or Joint Budget  
26 Committee, shall have the authority to establish such new or additional full  
27 time positions as may become necessary to carry out the objectives of the  
28 program and/or to meet Federal requirements of new and/or expanded programs  
29 where such needs are financed by federal funds; provided that not more than  
30 two hundred persons may be employed in addition to those authorized in the  
31 salary schedule and that the rate of pay shall not exceed those set out in  
32 the salary schedule for comparable positions as authorized under the  
33 provisions of the Regular Salaries section of this Act.

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

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

3  
4 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
6 OF APPROPRIATION. Subject to such rules and regulations as may be  
7 implemented by the Chief Fiscal Officer of the State and after having sought  
8 the prior approval by the Arkansas Legislative Council or Joint Budget  
9 Committee, the Director of the Department of Workforce Services is hereby  
10 authorized to make transfers from any appropriation made by this Act to any  
11 other appropriation made by this Act with the exception of the "Reed Act  
12 Funds" appropriations set forth in the Reed Act Funds appropriation section  
13 of this Act, and of the appropriation made for Regular Salaries or  
14 Maintenance and General Operation. Such transfers may be made whenever it  
15 appears, by projecting the expenditures of any of the appropriations in this  
16 Act, that there will be a deficiency of appropriation in one item and that  
17 there will be a corresponding excess of appropriation in another item or  
18 items which may be transferred. The transfer of appropriation shall be  
19 effected only on approval of the Chief Fiscal Officer of the State. Provided,  
20 however, that no transfer of appropriations may be authorized to increase the  
21 total amount appropriated for Regular Salaries, or Maintenance and General  
22 Operations, except as may be authorized elsewhere by law.

23 Determining the maximum number of employees and the maximum amount of  
24 appropriation and general revenue funding for a state agency each fiscal year  
25 is the prerogative of the General Assembly. This is usually accomplished by  
26 delineating such maximums in the appropriation act(s) for a state agency and  
27 the general revenue allocations authorized for each fund and fund account by  
28 amendment to the Revenue Stabilization law. Further, the General Assembly  
29 has determined that the Department of Workforce Services may operate more  
30 efficiently if some flexibility is provided to the Department of Workforce  
31 Services authorizing broad powers under this Section. Therefore, it is both  
32 necessary and appropriate that the General Assembly maintain oversight by  
33 requiring prior approval of the Legislative Council or Joint Budget Committee  
34 as provided by this section. The requirement of approval by the Legislative  
35 Council or Joint Budget Committee is not a severable part of this section.  
36 If the requirement of approval by the Legislative Council or Joint Budget



1 Committee is ruled unconstitutional by a court of competent jurisdiction,  
2 this entire section is void.

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

5

6 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-  
8 AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR  
9 NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the  
10 Department of Human Services (DHS) and the Director of the Department of  
11 Workforce Services (DWS), the Chief Fiscal Officer of the State may approve  
12 up to three million six hundred forty thousand six hundred fifty dollars  
13 (\$3,640,650) each fiscal year in State General Revenue appropriated to DWS  
14 for the TANF program to be transferred to the DHS - Division of County  
15 Operations in support of Arkansas' TANF Programs or any related separate  
16 state programs.

17 The Director of the Department of Workforce Services shall provide a  
18 report of all transfers made to the DHS - Division of County Operations to  
19 the Performance Evaluation and Expenditure Review Committee of the Arkansas  
20 Legislative Council and Joint Budget Committee. The report must include the  
21 justification for and the amount of the completed transfers.

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

24

25 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
27 OF TANF BLOCK GRANT FUNDS. Each fiscal year, the Department of Workforce  
28 Services shall transfer the sum of seven million five hundred thousand  
29 dollars (\$7,500,000) from the state's federal Temporary Assistance for Needy  
30 Families block grant to the Department of Education Public School Fund  
31 Account to be used solely for the Arkansas Better Chance Program.

32 If the state match for the Temporary Assistance for Needy Families grant  
33 or the state's Temporary Assistance for Needy Families grant is reduced, the  
34 amount to be transferred may be adjusted in proportion to the percentage  
35 change in the state match or the state's Temporary Assistance for Needy  
36 Families grant. The amount to be transferred may also be reduced

1 proportionately if new cost requirements are imposed upon the state as a  
2 result of new or revised Temporary Assistance for Needy Families regulations  
3 at the federal level.

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

14 The provisions of this section shall be in effect only from July 1, ~~2019~~  
15 2020 through June 30, ~~2020~~ 2021.

16  
17 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
19 RESTRICTIONS ON FINANCIAL ASSISTANCE UNDER THE TEMPORARY ASSISTANCE FOR NEEDY  
20 FAMILIES PROGRAM.

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

25 (2) The purposes of subsection (a) of this section are typically  
26 accomplished by:

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

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

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

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

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

1 (A) Restrict the financial assistance granted to a  
2 recipient of the Temporary Assistance for Needy Families Program or its  
3 successor program to purchase goods and services that are considered  
4 essential and necessary for the welfare of the family, including without  
5 limitation:

6 (i) Food;  
7 (ii) Clothing;  
8 (iii) Housing;  
9 (iv) Utilities;  
10 (v) Child care; and  
11 (vi) Incidentals, including without limitation  
12 transportation and medicine or medical supplies or equipment not covered by  
13 either the Arkansas Medicaid Program or the health benefit plan of the  
14 individual; and

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

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

21 (3) If the department does not request a wavier under  
22 subdivision (b)(1) of this section, the department shall not allocate,  
23 budget, expend, or utilize appropriations under this act for the  
24 participation of persons in the Temporary Assistance for Needy Families  
25 Program.

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

35 The provisions of this section shall be in effect only from July 1, ~~2019~~  
36 2020 through June 30, ~~2020~~ 2021.

1  
2 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADULT  
4 EDUCATION DISTRIBUTION. All funds that become available for Adult Education  
5 shall be distributed to those administrative units determined to be operating  
6 efficient adult education programs, under criteria established by the Career  
7 Education and Workforce Development Board. The criteria shall include the  
8 relative efficiency of administration of the program in the counties served  
9 and achievement of federal performance indicators. The Career Education and  
10 Workforce Development Board shall promulgate rules and regulations for the  
11 distribution of funds in accordance with criteria to be determined by the  
12 Board. In the distribution of funds to local units the Board shall consider  
13 performance in meeting state and federal performance indicators. Unallocated  
14 funds will be redistributed based upon need as determined by the Career  
15 Education and Workforce Development Board.

16 The provisions of this section shall be in effect only from July 1, ~~2019~~  
17 2020 through June 30, ~~2020~~ 2021.

18  
19 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
21 OF FUNDS - PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall  
22 establish, upon request from the Department of Career Education, a special  
23 appropriation line item to be used in the acquisition of promotional items.  
24 When the Department of Career Education wishes to transfer monies from its  
25 operating expenses appropriation to the Promotional Items line, the Career  
26 Education and Workforce Development Board shall approve the request and  
27 forward it after receiving prior review and approval by the Arkansas  
28 Legislative Council or Joint Budget Committee, to the Chief Fiscal Officer of  
29 the State for processing.

30 Determining the maximum number of employees and the maximum amount of  
31 appropriation and general revenue funding for a state agency each fiscal year  
32 is the prerogative of the General Assembly. This is usually accomplished by  
33 delineating such maximums in the appropriation act(s) for a state agency and  
34 the general revenue allocations authorized for each fund and fund account by  
35 amendment to the Revenue Stabilization law. Further, the General Assembly  
36 has determined that the Department of Career Education may operate more

1 efficiently if some flexibility is provided to the Department of Career  
2 Education authorizing broad powers under this Section. Therefore, it is both  
3 necessary and appropriate that the General Assembly maintain oversight by  
4 requiring prior approval of the Legislative Council or Joint Budget committee  
5 as provided by this section. The requirement of approval by the Legislative  
6 Council or Joint Budget Committee is not a severable part of this section.  
7 If the requirement of approval by the Legislative Council or joint Budget  
8 Committee is ruled unconstitutional by a court of competent jurisdiction,  
9 this entire section is void.

10 The provisions of this section shall be in effect only from July 1, ~~2019~~  
11 2020 through June 30, ~~2020~~ 2021.

12  
13 SECTION 35. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
14 authorized by this act shall be limited to the appropriation for such agency  
15 and funds made available by law for the support of such appropriations; and  
16 the restrictions of the State Procurement Law, the General Accounting and  
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
18 Procedures and Restrictions Act, or their successors, and other fiscal  
19 control laws of this State, where applicable, and regulations promulgated by  
20 the Department of Finance and Administration, as authorized by law, shall be  
21 strictly complied with in disbursement of said funds.

22  
23 SECTION 36. LEGISLATIVE INTENT. It is the intent of the General  
24 Assembly that any funds disbursed under the authority of the appropriations  
25 contained in this act shall be in compliance with the stated reasons for  
26 which this act was adopted, as evidenced by the Agency Requests, Executive  
27 Recommendations and Legislative Recommendations contained in the budget  
28 manuals prepared by the Department of Finance and Administration, letters, or  
29 summarized oral testimony in the official minutes of the Arkansas Legislative  
30 Council or Joint Budget Committee which relate to its passage and adoption.

31  
32 SECTION 37. EMERGENCY CLAUSE. It is found and determined by the  
33 General Assembly, that the Constitution of the State of Arkansas prohibits  
34 the appropriation of funds for more than a one (1) year period; that the  
35 effectiveness of this Act on July 1, 2020 is essential to the operation of  
36 the agency for which the appropriations in this Act are provided; with the

1 exception that Sections 2, 3 and 4 in this Act shall be in full force and  
2 effect from and after the date of its passage and approval, and that in the  
3 event of an extension of the legislative session, the delay in the effective  
4 date of this Act beyond July 1, 2020, with the exception that Sections 2, 3  
5 and 4 in this Act shall be in full force and effect from and after the date  
6 of its passage and approval, could work irreparable harm upon the proper  
7 administration and provision of essential governmental programs. Therefore,  
8 an emergency is hereby declared to exist and this Act being necessary for the  
9 immediate preservation of the public peace, health and safety shall be in  
10 full force and effect from and after July 1, 2020; with the exception that  
11 Sections 2, 3 and 4 in this Act shall be in full force and effect from and  
12 after the date of its passage and approval.

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14  
15 /s/Joint Budget Committee  
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