

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

SENATE BILL 67

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, 2022; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMERCE -
15 DIVISION OF WORKFORCE SERVICES
16 APPROPRIATION FOR THE 2021-2022 FISCAL
17 YEAR.
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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 2021-2022
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
				2021-2022
31	(1)	U037U ACOM DWS DIRECTOR	1	GRADE SE03
32	(2)	U065U ACOM DEPUTY DIRECTOR	1	GRADE SE01
33	(3)	U070U ACOM DWS DEPUTY DIRECTOR	2	GRADE SE01
34	(4)	U036U AR APPEALS TRIBUNAL CHAIRMAN	1	GRADE SE01
35	(5)	U076U DWS WORKFORCE INVESTMENT DIRECTOR	1	GRADE SE01
36	(6)	D002N STATE DATABASE ADMINISTRATOR LEAD	1	GRADE IT11



1	(7)	D007C INFORMATION SYSTEMS MANAGER	3	GRADE IT08
2	(8)	D017C INFORMATION SYS SECURITY SPECIALIST	1	GRADE IT07
3	(9)	D038C SENIOR SOFTWARE SUPPORT ANALYST	16	GRADE IT06
4	(10)	D022C SYSTEMS SPECIALIST	2	GRADE IT06
5	(11)	D061C INFORMATION SYSTEMS COORD SPECIALIST	2	GRADE IT05
6	(12)	D052C SOFTWARE SUPPORT ANALYST	7	GRADE IT05
7	(13)	D062C DATABASE ANALYST	1	GRADE IT04
8	(14)	D071C COMPUTER SUPPORT ANALYST	2	GRADE IT03
9	(15)	G007N ACOM DWS GENERAL COUNSEL	1	GRADE GS14
10	(16)	G017N ACOM DWS ASST DIR - TANF	1	GRADE GS13
11	(17)	N051N ACOM DWS ASST DIR, EMPLOYMENT ASSIST	1	GRADE GS13
12	(18)	N050N ACOM DWS ASST DIR, FIN MANAGEMENT	1	GRADE GS13
13	(19)	N049N ACOM DWS ASST DIR, INFO AND TECH	1	GRADE GS13
14	(20)	N074N ACOM DWS ASST DIR, UNEMPLOYMENT INS	1	GRADE GS13
15	(21)	G010C ACOM DIVISION MANAGER	2	GRADE GS12
16	(22)	G016N ACOM DWS ASST DIR GRANTS RES ADMIN	1	GRADE GS12
17	(23)	A015C ACOM DWS DIR INTERNAL AUDIT & SECURITY	1	GRADE GS12
18	(24)	P007N ACOM DWS DIRECTOR OF COMMUNICATIONS	1	GRADE GS12
19	(25)	G020C ACOM DWS PROGRAM ADMINISTRATOR	3	GRADE GS12
20	(26)	A021C AGENCY CONTROLLER I	1	GRADE GS12
21	(27)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
22	(28)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
23	(29)	A031C ASSISTANT CONTROLLER	3	GRADE GS11
24	(30)	G047C ATTORNEY SPECIALIST	2	GRADE GS11
25	(31)	G068C ACOM DWS AREA OPERATIONS CHIEF	7	GRADE GS10
26	(32)	E074C ACOM PROGRAM COORDINATOR	2	GRADE GS10
27	(33)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
28	(34)	G073C ATTORNEY	8	GRADE GS10
29	(35)	G288C ACOM DWS DIVISION MANAGER	4	GRADE GS09
30	(36)	R015C ACOM DWS EQUAL OPPORTUNITY MANAGER	1	GRADE GS09
31	(37)	G243C ACOM DWS FIELD MANAGER III	2	GRADE GS09
32	(38)	G110C ACOM DWS PROGRAM MANAGER	9	GRADE GS09
33	(39)	E075C ACOM PROGRAM ADVISOR	9	GRADE GS09
34	(40)	R019C BUDGET MANAGER	1	GRADE GS09
35	(41)	G109C GRANTS MANAGER	2	GRADE GS09
36	(42)	G081C ACOM DWS DIVISION CHIEF	1	GRADE GS08

1	(43)	G128C ACOM DWS FIELD MANAGER II	18	GRADE GS08
2	(44)	G127C ACOM DWS PROGRAM OPERATIONS MANAGER	28	GRADE GS08
3	(45)	G114C ACOM DWS WORKFORCE INVESTMENT DIR	2	GRADE GS08
4	(46)	A066C INTERNAL AUDITOR	4	GRADE GS08
5	(47)	R014C PERSONNEL MANAGER	1	GRADE GS08
6	(48)	V007C PROCUREMENT COORDINATOR	1	GRADE GS08
7	(49)	A060C SENIOR AUDITOR	4	GRADE GS08
8	(50)	E023C TRAINING PROJECT MANAGER	2	GRADE GS08
9	(51)	A089C ACCOUNTANT I	3	GRADE GS07
10	(52)	G149C ACOM DWS FIELD MANAGER I	15	GRADE GS07
11	(53)	G181C ACOM DWS PROGRAM MONITOR	48	GRADE GS07
12	(54)	G209C ACOM DWS PROGRAM SUPERVISOR	41	GRADE GS07
13	(55)	G196C ACOM DWS SATELLITE OFFICE SUPERVISOR	7	GRADE GS07
14	(56)	A085C ACOM DWS SR FIELD TAX REPRESENTATIVE	3	GRADE GS07
15	(57)	G138C AGENCY ADMINISTRATIVE REVIEW OFFICER	10	GRADE GS07
16	(58)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
17	(59)	A081C AUDITOR	7	GRADE GS07
18	(60)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	3	GRADE GS07
19	(61)	A075C FINANCIAL ANALYST I	2	GRADE GS07
20	(62)	S017C MAINTENANCE COORDINATOR	1	GRADE GS07
21	(63)	A065C PAYROLL SERVICES COORDINATOR	1	GRADE GS07
22	(64)	A073C PROGRAM/FIELD AUDITOR SUPERVISOR	2	GRADE GS07
23	(65)	E040C STAFF DEVELOPMENT COORDINATOR	2	GRADE GS07
24	(66)	A092C ACOM DWS FIELD TAX REP	17	GRADE GS06
25	(67)	C032C ACOM DWS UI CLAIM TECHNICIAN	18	GRADE GS06
26	(68)	X139C ACOM DWS UI INVESTIGATOR	12	GRADE GS06
27	(69)	G217C ACOM DWS WORKFORCE SPECIALIST	336	GRADE GS06
28	(70)	C037C ADMINISTRATIVE ANALYST	27	GRADE GS06
29	(71)	R027C BUDGET SPECIALIST	7	GRADE GS06
30	(72)	A074C FISCAL SUPPORT SUPERVISOR	7	GRADE GS06
31	(73)	G180C GRANTS ANALYST	1	GRADE GS06
32	(74)	R025C HUMAN RESOURCES ANALYST	2	GRADE GS06
33	(75)	G179C LEGAL SERVICES SPECIALIST	2	GRADE GS06
34	(76)	S033C MAINTENANCE SUPERVISOR	3	GRADE GS06
35	(77)	A084C PROGRAM/FIELD AUDIT SPECIALIST	7	GRADE GS06
36	(78)	B076C RESEARCH PROJECT ANALYST	13	GRADE GS06

1	(79)	E046C TRAINING INSTRUCTOR	23	GRADE GS06
2	(80)	G220C ACOM DWS WORKFORCE INVEST REG ADVISOR	5	GRADE GS05
3	(81)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	4	GRADE GS05
4	(82)	V014C BUYER	3	GRADE GS05
5	(83)	A091C FISCAL SUPPORT ANALYST	19	GRADE GS05
6	(84)	S032C PRINT SHOP SUPERVISOR	1	GRADE GS05
7	(85)	V015C PURCHASING SPECIALIST	1	GRADE GS05
8	(86)	S031C SKILLED TRADESMAN	1	GRADE GS05
9	(87)	C056C ADMINISTRATIVE SPECIALIST III	18	GRADE GS04
10	(88)	A098C FISCAL SUPPORT SPECIALIST	23	GRADE GS04
11	(89)	R036C HUMAN RESOURCES SPECIALIST	6	GRADE GS04
12	(90)	C046C LEGAL SUPPORT SPECIALIST	10	GRADE GS04
13	(91)	S046C MAINTENANCE TECHNICIAN	1	GRADE GS04
14	(92)	V022C PURCHASING TECHNICIAN	1	GRADE GS04
15	(93)	V023C STOREROOM SUPERVISOR	1	GRADE GS04
16	(94)	X183C ACOM DWS CLAIMS ADJUDICATOR	6	GRADE GS03
17	(95)	C073C ADMINISTRATIVE SPECIALIST II	12	GRADE GS03
18	(96)	S081C APPRENTICE TRADESMAN	1	GRADE GS03
19	(97)	S050C MAINTENANCE SPECIALIST	1	GRADE GS03
20	(98)	S054C PRINTER	1	GRADE GS03
21	(99)	C087C ADMINISTRATIVE SPECIALIST I	17	GRADE GS02
22	(100)	S087C INSTITUTIONAL SERVICES ASSISTANT	<u>1</u>	GRADE GS01
23		MAX. NO. OF EMPLOYEES	924	

SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Department of Commerce, to be payable from the Division of Workforce Services Trust Fund, for personal services and operating expenses of the Department of Commerce - Division of Workforce Services - Operations for the fiscal year ending June 30, 2022, the following:

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2021-2022</u>
33	(01) REGULAR SALARIES	\$35,652,450
34	(02) EXTRA HELP	3,800,000
35	(03) PERSONAL SERVICES MATCHING	13,441,071
36	(04) OVERTIME	1,060,000

1	(05) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	19,335,741
3	(B) CONF. & TRAVEL	705,440
4	(C) PROF. FEES	3,000,000
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$76,994,702</u>

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

10 There is hereby appropriated, to the Department of Commerce, to be payable
 11 from cash funds as defined by Arkansas Code 19-4-801, for unemployment
 12 benefit payments and other expenses including, disaster relief payments,
 13 training allowances, payments to participant contractors and Unemployment
 14 Insurance Trust Fund loan repayments by the Department of Commerce - Division
 15 of Workforce Services - Unemployment Benefits and Expenses - Cash for the
 16 fiscal year ending June 30, 2022, the following:

18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2021-2022</u>
20	(01) DISASTER RELIEF PAYMENTS	\$4,000,000
21	(02) FEDERALLY PAID BENEFITS PAYMENTS	455,000,000
22	(03) U I BENEFITS - REIMBURSABLE EMPLOYERS	20,000,000
23	(04) U I BENEFITS - TAXABLE EMPLOYERS	2,000,000,000
24	(05) TRAINING ALLOWANCES	4,000,000
25	(06) PAYMENTS TO PART CONTRACTORS	150,000
26	(07) UI ADVANCE REPAYMENT	<u>1</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$2,483,150,001</u>

29 SECTION 4. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby
 30 appropriated, to the Department of Commerce, to be payable from the Division
 31 of Workforce Services Special Fund, for payment of the annual assessment to
 32 maintain voting member rights in the National Association of Workforce
 33 Agencies by the Department of Commerce - Division of Workforce Services -
 34 Annual Assessments for the fiscal year ending June 30, 2022, the following:

36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2021-2022</u>
2	(01) ANNUAL ASSESSMENT	<u>\$26,000</u>

3

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

5 There is hereby appropriated, to the Department of Commerce, to be payable
 6 from the Division of Workforce Services Special Fund, for construction,
 7 personal services and matching, maintenance and general operating expenses
 8 for the Administration Building and all other agency owned buildings,
 9 building and land acquisition, rent of buildings, and payment of unemployment
 10 benefits and expenses incurred by the Department of Commerce - Division of
 11 Workforce Services in the administration of the Division of Workforce
 12 Services Law, the Temporary Assistance for Needy Families Program, the
 13 Arkansas Workforce Innovation and Opportunity Act and the Arkansas Works Act
 14 of 2016, or their successor programs and any other programs transferred under
 15 the direction and supervision of the Division of Workforce Services, when
 16 such expenses exceed funds available from other sources by the Department of
 17 Commerce - Division of Workforce Services - Excess Unemployment Benefits and
 18 Expenses for the fiscal year ending June 30, 2022, the following:

19		
20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2021-2022</u>
22	(01) CONSTRUCTION	\$0
23	(02) RENT OF BUILDINGS	0
24	(03) PAYMENT/EXPENSES	<u>10,000,000</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$10,000,000</u>

26

27 SECTION 6. APPROPRIATION - WORKFORCE INNOVATION AND OPPORTUNITY ACT.

28 There is hereby appropriated, to the Department of Commerce, to be payable
 29 from the federal funds as designated by the Chief Fiscal Officer of the
 30 State, for grant payments of the Workforce Innovation and Opportunity Act by
 31 the Department of Commerce - Division of Workforce Services - Workforce
 32 Innovation and Opportunity Act for the fiscal year ending June 30, 2022, the
 33 following:

34		
35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2021-2022</u>

1 (01) WORKFORCE INNOVATION AND OPPORTUNITY

2 ACT PAYMENTS \$40,000,000

3

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

5 INSURANCE. There is hereby appropriated, to the Department of Commerce, to

6 be payable from the Employment Security Advance Interest Trust Fund, for

7 paying interest incurred by the state on advances from the Federal

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

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

10 Unemployment Compensation Fund Clearing Account which were incorrectly

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

12 Commerce - Division of Workforce Services - UI Trust Fund

13 Interest/Unemployment Insurance for the fiscal year ending June 30, 2022, the

14 following:

15

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
18 (01) U I TRUST FUND INTEREST	\$3,000,000
19 (02) LOAN INTEREST	<u>1</u>
20 TOTAL AMOUNT APPROPRIATED	<u>\$3,000,001</u>

21

22 SECTION 8. APPROPRIATION - REED ACT FUNDS. There is hereby

23 appropriated, to the Department of Commerce, to be payable from cash funds as

24 defined by Arkansas Code 19-4-801, for construction, improvement of

25 buildings, rent and lease costs, acquisition of data processing equipment,

26 acquisition of land, payment of salaries and related benefits, maintenance

27 and general operation and for the payment of unemployment insurance benefits,

28 or as prescribed by the Social Security Act by the Department of Commerce -

29 Division of Workforce Services - Reed Act Funds for the fiscal year ending

30 June 30, 2022, the following:

31

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
34 (01) REED ACT FUNDS	<u>\$3,100,000</u>

35

36 SECTION 9. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

1 BLOCK GRANT PAYING AND NEW HIRE REGISTRY. There is hereby appropriated, to
 2 the Department of Commerce, to be payable from the paying account as
 3 determined by the Chief Fiscal Officer of the State, for personal services,
 4 maintenance and general operations, and grant payments by the Department of
 5 Commerce - Division of Workforce Services - Temporary Assistance for Needy
 6 Families Block Grant Paying and New Hire Registry for the fiscal year ending
 7 June 30, 2022, the following:

8

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2021-2022</u>
11 (01) AR TRANSITIONAL EMPLOYMENT PRGM & NEW	
12 HIRE REGISTRY-PRSN SRVS, MAINT & GEN	
13 OPRS, & GRANT PAYMENTS	<u>\$39,947,372</u>

14

15 SECTION 10. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM.
 16 There is hereby appropriated, to the Department of Commerce, to be payable
 17 from the Individual Development Account Trust Fund, for operating expenses of
 18 the Department of Commerce - Division of Workforce Services - Individual
 19 Development Account Program for the fiscal year ending June 30, 2022, the
 20 following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2021-2022</u>
24 (01) MAINT. & GEN. OPERATION	
25 (A) OPER. EXPENSE	\$0
26 (B) CONF. & TRAVEL	0
27 (C) PROF. FEES	141,738
28 (D) CAP. OUTLAY	0
29 (E) DATA PROC.	<u>0</u>
30 TOTAL AMOUNT APPROPRIATED	<u>\$141,738</u>

31

32 SECTION 11. APPROPRIATION - DIVISION OF WORKFORCE SERVICES - TRAINING
 33 TRUST FUND. There is hereby appropriated, to the Department of Commerce, to
 34 be payable from the Division of Workforce Services Training Trust Fund, for
 35 personal services, operating expenses, and grants for the Worker Training
 36 Program of the Department of Commerce - Division of Workforce Services -

1 Training Trust Fund for the fiscal year ending June 30, 2022, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2021-2022</u>
5 (01) PERSONAL SERVICES, OPERATING EXPENSES	
6 AND GRANTS	<u>\$3,256,577</u>

7

8 SECTION 12. APPROPRIATION - DIVISION OF WORKFORCE SERVICES -
 9 UNEMPLOYMENT INSURANCE ADMINISTRATION FUND. There is hereby appropriated, to
 10 the Department of Commerce, to be payable from the Division of Workforce
 11 Services Unemployment Insurance Administration Fund, for personal services
 12 and operating expenses of the Department of Commerce - Division of Workforce
 13 Services - Unemployment Insurance Administration Fund for the fiscal year
 14 ending June 30, 2022, the following:

15

16 ITEM	FISCAL YEAR
17 <u>NO.</u>	<u>2021-2022</u>
18 (01) ADMINISTRATION EXPENSES	<u>\$6,000,000</u>

19

20 SECTION 13. APPROPRIATION - LOANS TO LOCAL WORKFORCE DEVELOPMENT
 21 BOARDS. There is hereby appropriated, to the Department of Commerce, to be
 22 payable from cash funds as defined by Arkansas Code 19-4-801, for loans to
 23 local Workforce Development Boards (WDB) for local WDB wire transfers by the
 24 Department of Commerce - Division of Workforce Services for the fiscal year
 25 ending June 30, 2022, the following:

26 ITEM	FISCAL YEAR
27 <u>NO.</u>	<u>2021-2022</u>
28 (01) LOANS	<u>\$1,500,000</u>

29

30 SECTION 14. APPROPRIATION - WORKFORCE DEVELOPMENT GRANT. There is
 31 hereby appropriated, to the Department of Commerce, to be payable from the
 32 federal funds as designated by the Chief Fiscal Officer of the State, for
 33 personal services, maintenance and general operations and grants payments of
 34 the Department of Commerce - Division of Workforce Services - Workforce
 35 Development Grant for the fiscal year ending June 30, 2022, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2021-2022</u>
3	(01) WORKFORCE DEVELOPMENT GRANT	<u>\$4,500,000</u>

4

5 SECTION 15. APPROPRIATION - TAA VENDOR PAYMENTS. There is hereby

6 appropriated, to the Department of Commerce, to be payable from the cash fund

7 deposited in the State Treasury as determined by the Chief Fiscal Officer of

8 the State, for Vendor Payments of the Trade Adjustment Assistance Program by

9 of the Department of Commerce - Division of Workforce Services - TAA Vendor

10 Payments for the fiscal year ending June 30, 2022, the following:

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2021-2022</u>
13	(01) RTA/ATAA PAYMENTS	\$100,000
14	(02) TAA SUPPORTIVE SERVICES	100,000
15	(03) TAA VENDOR PAYMENTS	<u>7,850,000</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$8,050,000</u>

17

18

19 SECTION 16. APPROPRIATION - ADULT EDUCATION ADMINISTRATION -

20 OPERATIONS. There is hereby appropriated, to the Department of Commerce, to

21 be payable from the Division of Workforce Services Fund, for personal

22 services and operating expenses of the Department of Commerce - Division of

23 Workforce Services - Adult Education Administration - Operations for the

24 fiscal year ending June 30, 2022, the following:

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2021-2022</u>
27	(01) REGULAR SALARIES	\$751,731
28	(02) EXTRA HELP	7,000
29	(03) PERSONAL SERVICES MATCHING	252,071
30	(04) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	190,000
32	(B) CONF. & TRAVEL	10,500
33	(C) PROF. FEES	0
34	(D) CAP. OUTLAY	0
35	(E) DATA PROC.	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$1,211,302

2

3 SECTION 17. APPROPRIATION - ADULT BASIC EDUCATION. There is hereby
 4 appropriated, to the Department of Commerce, to be payable from the Division
 5 of Workforce Services Fund, for personal services and operating expenses of
 6 the Department of Commerce - Division of Workforce Services - Adult Basic
 7 Education for the fiscal year ending June 30, 2022, the following:

8

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2021-2022</u>
11 (01) REGULAR SALARIES	\$415,334
12 (02) PERSONAL SERVICES MATCHING	136,073
13 (03) MAINT. & GEN. OPERATION	
14 (A) OPER. EXPENSE	24,507
15 (B) CONF. & TRAVEL	0
16 (C) PROF. FEES	0
17 (D) CAP. OUTLAY	0
18 (E) DATA PROC.	<u>0</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$575,914</u>

20

21 SECTION 18. APPROPRIATION - FEDERAL ADULT BASIC EDUCATION. There is
 22 hereby appropriated, to the Department of Commerce, to be payable from the
 23 federal funds as designated by the Chief Fiscal Officer of the State, for
 24 personal services, operating expenses and grants by the Department of
 25 Commerce - Division of Workforce Services - Federal Adult Basic Education for
 26 the fiscal year ending June 30, 2022, the following:

27

28 ITEM	FISCAL YEAR
29 <u>NO.</u>	<u>2021-2022</u>
30 (01) REGULAR SALARIES	\$423,612
31 (02) PERSONAL SERVICES MATCHING	137,148
32 (03) MAINT. & GEN. OPERATION	
33 (A) OPER. EXPENSE	132,467
34 (B) CONF. & TRAVEL	50,200
35 (C) PROF. FEES	9,000
36 (D) CAP. OUTLAY	0

1	(E) DATA PROC.	0
2	(04) ADULT BASIC EDUCATION GRANTS	<u>10,369,442</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$11,121,869</u>

4

5 SECTION 19. APPROPRIATION - GOVERNOR'S COMMISSION ON ADULT LITERACY.

6 There is hereby appropriated, to the Department of Commerce, to be payable

7 from the Division of Career and Technical Education Public School Fund

8 Account, for personal services, operating expenses, and grants by the

9 Department of Commerce - Division of Workforce Services - Governor's

10 Commission on Adult Literacy for the fiscal year ending June 30, 2022, the

11 following:

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2021-2022</u>
15	(01) REGULAR SALARIES	\$27,191
16	(02) PERSONAL SERVICES MATCHING	8,574
17	(03) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	52,242
19	(B) CONF. & TRAVEL	6,005
20	(C) PROF. FEES	0
21	(D) CAP. OUTLAY	0
22	(E) DATA PROC.	0
23	(04) GRANTS TO LITERACY COUNCILS	<u>675,000</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$769,012</u>

25

26 SECTION 20. APPROPRIATION - ADULT BASIC AND GENERAL EDUCATION. There

27 is hereby appropriated, to the Department of Commerce, to be payable from the

28 Division of Career and Technical Education Public School Fund Account, for

29 Adult Basic and General Adult Education grants and aid by the Department of

30 Commerce - Division of Workforce Services - Adult Basic and General Education

31 for the fiscal year ending June 30, 2022, the following:

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2021-2022</u>
35	(01) ADULT BASIC & GENERAL ADULT EDUCATION	<u>\$20,920,569</u>

36

SECTION 21. APPROPRIATION - GED TESTING. There is hereby appropriated, to the Department of Commerce, to be payable from the Division of Career and Technical Education Public School Fund Account, for the cost of individuals taking the General Education Development (GED) test and official practice test of the Department of Commerce - Division of Workforce Services - GED Testing for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) GED TEST COSTS	<u>\$350,000</u>

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

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

(1) Prior to June 30, ~~2021~~ 2022 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

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

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

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

5 The provisions of this section shall be in effect only from July 1, ~~2020~~
6 2021 through June 30, ~~2021~~ 2022.

7
8 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
10 HELP. There is hereby authorized, for the ~~Department~~ Division of Workforce
11 Services for the ~~2020-2021~~ 2021-2022 fiscal year, the following maximum
12 number of part-time or temporary employees, to be known as "Extra Help",
13 payable from funds appropriated herein for such purposes: four hundred thirty
14 three (433) temporary or part-time employees, when needed, at rates of pay
15 not to exceed those provided in the Uniform Classification and Compensation
16 Act, or its successor, for the appropriate classification. Any of these
17 positions utilized in a manner which are funded by federal sources are
18 specifically exempt from limitation of hours, either by Act or Regulation.

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

27 The provisions of this section shall be in effect only from July 1, ~~2020~~
28 2021 through June 30, ~~2021~~ 2022.

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

1 benefits, or as otherwise prescribed in Section 903 of the Social Security
2 Act, as amended.

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

8 The provisions of this section shall be in effect only from July 1, ~~2020~~
9 2021 through June 30, ~~2021~~ 2022.

10
11 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

27 The provisions of this section shall be in effect only from July 1, ~~2020~~
28 2021 through June 30, ~~2021~~ 2022.

29
30 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
32 OF APPROPRIATION. Subject to such rules and regulations as may be
33 implemented by the Chief Fiscal Officer of the State and after having sought
34 the prior approval by the Arkansas Legislative Council or Joint Budget
35 Committee, the Director of the ~~Department~~ Division of Workforce Services is
36 hereby authorized to make transfers from any appropriation made by this Act

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

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

29 The provisions of this section shall be in effect only from July 1, ~~2020~~
 30 2021 through June 30, ~~2021~~ 2022.

31
 32 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-
 34 AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR
 35 NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the ~~Director~~ Secretary
 36 of the Department of Human Services (DHS) and the Director of the ~~Department~~

1 Division of Workforce Services (DWS), the Chief Fiscal Officer of the State
2 may approve up to three million six hundred forty thousand six hundred fifty
3 dollars (\$3,640,650) each fiscal year in State General Revenue appropriated
4 to DWS for the TANF program to be transferred to the DHS - Division of County
5 Operations in support of Arkansas' TANF Programs or any related separate
6 state programs.

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

12 The provisions of this section shall be in effect only from July 1, ~~2020~~
13 2021 through June 30, ~~2021~~ 2022.

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

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

31 The provisions of this section shall be in effect only from July 1, ~~2020~~
32 2021 through June 30, ~~2021~~ 2022.

33
34 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRAINING
36 TRUST FUND TRANSFER. Immediately upon the effective date of this Act, the

1 Chief Fiscal Officer of the State shall transfer on his or her books and
 2 those of the State Treasurer and the Auditor of the State the sum of two
 3 million five hundred thousand dollars (\$2,500,000) from the Division of
 4 Workforce Services Training Trust Fund to the Skills Development Fund.

5 The provisions of this section shall be in effect only from July 1, ~~2020~~
 6 2021 through June 30, ~~2021~~ 2022.

7
 8 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 10 RESTRICTIONS ON FINANCIAL ASSISTANCE UNDER THE TEMPORARY ASSISTANCE FOR NEEDY
 11 FAMILIES PROGRAM.

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

16 (2) The purposes of subsection (a) of this section are typically
 17 accomplished by:

18 (A) Identifying the purpose in the appropriation act;
 19 (B) Delineating such maximums in the appropriation act for
 20 a state agency; and

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

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

25 (b)(1) Upon the request of the Governor or the General Assembly, the
 26 ~~Department~~ Division of Workforce Services shall request a waiver from the
 27 federal government to:

28 (A) Restrict the financial assistance granted to a
 29 recipient of the Temporary Assistance for Needy Families Program or its
 30 successor program to purchase goods and services that are considered
 31 essential and necessary for the welfare of the family, including without
 32 limitation:

- 33 (i) Food;
 34 (ii) Clothing;
 35 (iii) Housing;
 36 (iv) Utilities;

1 (v) Child care; and
 2 (vi) Incidentals, including without limitation
 3 transportation and medicine or medical supplies or equipment not covered by
 4 either the Arkansas Medicaid Program or the health benefit plan of the
 5 individual; and

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

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

12 (3) If the ~~department~~ division does not request a wavier under
 13 subdivision (b)(1) of this section, the ~~department~~ division shall not
 14 allocate, budget, expend, or utilize appropriations under this act for the
 15 participation of persons in the Temporary Assistance for Needy Families
 16 Program.

17 The provisions of this section shall be in effect only from July 1, ~~2020~~
 18 2021 through June 30, ~~2021~~ 2022.

19

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

26 The provisions of this section shall be in effect only from July 1, ~~2020~~
 27 2021 through June 30, ~~2021~~ 2022.

28

29 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADULT
 31 EDUCATION DISTRIBUTION. All funds that become available for Adult Education
 32 shall be distributed to those administrative units determined to be operating
 33 efficient adult education programs, under criteria established by the ~~Career~~
 34 ~~Education and Workforce Development Board~~ Division of Workforce Services. The
 35 criteria shall include the relative efficiency of administration of the
 36 program in the counties served and achievement of federal performance

1 indicators. The ~~Career Education and Workforce Development Board~~ Division of
2 Workforce Services shall promulgate rules and regulations for the
3 distribution of funds in accordance with criteria to be determined by the
4 ~~Board~~ Division. In the distribution of funds to local units the ~~Board~~
5 Division shall consider performance in meeting state and federal performance
6 indicators. Unallocated funds will be redistributed based upon need as
7 determined by the ~~Career Education and Workforce Development Board~~ Division
8 of Workforce Services.

9 The provisions of this section shall be in effect only from July 1, 2020
10 2021 through June 30, ~~2021~~ 2022.

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

24 Determining the maximum number of employees and the maximum amount of
25 appropriation and general revenue funding for a state agency each fiscal year
26 is the prerogative of the General Assembly. This is usually accomplished by
27 delineating such maximums in the appropriation act(s) for a state agency and
28 the general revenue allocations authorized for each fund and fund account by
29 amendment to the Revenue Stabilization law. Further, the General Assembly
30 has determined that the ~~Department of Career Education~~ Division of Workforce
31 Services may operate more efficiently if some flexibility is provided to the
32 ~~Department of Career Education~~ Division of Workforce Services authorizing
33 broad powers under this Section. Therefore, it is both necessary and
34 appropriate that the General Assembly maintain oversight by requiring prior
35 approval of the Legislative Council or Joint Budget committee as provided by
36 this section. The requirement of approval by the Legislative Council or

1 Joint Budget Committee is not a severable part of this section. If the
2 requirement of approval by the Legislative Council or Joint Budget Committee
3 is ruled unconstitutional by a court of competent jurisdiction, this entire
4 section is void.

5 The provisions of this section shall be in effect only from July 1, ~~2020~~
6 2021 through June 30, ~~2021~~ 2022.

7
8 SECTION 34. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
9 authorized by this act shall be limited to the appropriation for such agency
10 and funds made available by law for the support of such appropriations; and
11 the restrictions of the State Procurement Law, the General Accounting and
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
13 Procedures and Restrictions Act, or their successors, and other fiscal
14 control laws of this State, where applicable, and regulations promulgated by
15 the Department of Finance and Administration, as authorized by law, shall be
16 strictly complied with in disbursement of said funds.

17
18 SECTION 35. LEGISLATIVE INTENT. It is the intent of the General
19 Assembly that any funds disbursed under the authority of the appropriations
20 contained in this act shall be in compliance with the stated reasons for
21 which this act was adopted, as evidenced by the Agency Requests, Executive
22 Recommendations and Legislative Recommendations contained in the budget
23 manuals prepared by the Department of Finance and Administration, letters, or
24 summarized oral testimony in the official minutes of the Arkansas Legislative
25 Council or Joint Budget Committee which relate to its passage and adoption.

26
27 SECTION 36. EMERGENCY CLAUSE. It is found and determined by the
28 General Assembly, that the Constitution of the State of Arkansas prohibits
29 the appropriation of funds for more than a one (1) year period; that the
30 effectiveness of this Act on July 1, 2021 is essential to the operation of
31 the agency for which the appropriations in this Act are provided, and that in
32 the event of an extension of the legislative session, the delay in the
33 effective date of this Act beyond July 1, 2021 could work irreparable harm
34 upon the proper administration and provision of essential governmental
35 programs. Therefore, an emergency is hereby declared to exist and this Act
36 being necessary for the immediate preservation of the public peace, health

and safety shall be in full force and effect from and after July 1, 2021.

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