

1 State of Arkansas
2 89th General Assembly
3 Fiscal Session, 2014
4

A Bill

HOUSE BILL 1094

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
10 WORKFORCE SERVICES FOR THE FISCAL YEAR ENDING JUNE
11 30, 2015; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF WORKFORCE
15 SERVICES APPROPRIATION FOR THE 2014-2015
16 FISCAL YEAR.
17
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19

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

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Workforce Services for the 2014-2015 fiscal year, the following
24 maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2014-2015
30	(1) U037U	DWS DIRECTOR	1	\$145,729
31	(2) U070U	DWS DEPUTY DIRECTOR	1	\$121,035
32	(3) U076U	DWS WORKFORCE INVESTMENT DIRECTOR	1	\$113,253
33	(4) U036U	AR APPEALS TRIBUNAL CHAIRMAN	1	\$109,766
34	(5) G015N	DWS ASSISTANT DIRECTOR	1	GRADE N908
35	(6) N051N	DWS ASST DIR, EMPLOYMENT ASSIST	1	GRADE N908
36	(7) N050N	DWS ASST DIR, FINANCIAL MANAGEMENT	1	GRADE N908



1	(8)	N049N	DWS ASST DIR, INFO AND TECHNOLOGY	1	GRADE N908
2	(9)	N074N	DWS ASST DIR, UNEMPLOYMENT INS	1	GRADE N908
3	(10)	G007N	DWS GENERAL COUNSEL	1	GRADE N908
4	(11)	G017N	DWS ASST DIR - TANF	1	GRADE N904
5	(12)	G016N	DWS ASST DIR GRANTS RESOURCE ADMIN	1	GRADE N904
6	(13)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE C128
7	(14)	A015C	DWS DIR INTERNAL AUDIT & SECURITY	1	GRADE C127
8	(15)	G020C	DWS PROGRAM ADMINISTRATOR	3	GRADE C127
9	(16)	A021C	AGENCY CONTROLLER I	1	GRADE C126
10	(17)	G047C	ATTORNEY SPECIALIST	2	GRADE C126
11	(18)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
12	(19)	D017C	INFORMATION SYSTEMS SECURITY SPECIAL	1	GRADE C126
13	(20)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
14	(21)	A031C	ASSISTANT CONTROLLER	3	GRADE C124
15	(22)	G073C	ATTORNEY	7	GRADE C124
16	(23)	G068C	DWS AREA OPERATIONS CHIEF	8	GRADE C124
17	(24)	D022C	SYSTEMS SPECIALIST	2	GRADE C124
18	(25)	G081C	DWS DIVISION CHIEF	6	GRADE C123
19	(26)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	16	GRADE C123
20	(27)	G243C	DWS FIELD MANAGER III	2	GRADE C121
21	(28)	G110C	DWS PROGRAM MANAGER	7	GRADE C121
22	(29)	G114C	DWS WORKFORCE INVEST REG ADVISOR	2	GRADE C121
23	(30)	G109C	GRANTS MANAGER	1	GRADE C121
24	(31)	D052C	SOFTWARE SUPPORT ANALYST	7	GRADE C121
25	(32)	G138C	AGENCY ADMINISTRATIVE REVIEW OFFICER	12	GRADE C120
26	(33)	R019C	BUDGET MANAGER	1	GRADE C120
27	(34)	R015C	DWS EQUAL OPPORTUNITY MANAGER	1	GRADE C120
28	(35)	G128C	DWS FIELD MANAGER II	18	GRADE C120
29	(36)	G127C	DWS PROGRAM OPERATIONS MANAGER	28	GRADE C120
30	(37)	E023C	TRAINING PROJECT MANAGER	2	GRADE C120
31	(38)	D062C	DATABASE ANALYST	1	GRADE C119
32	(39)	G149C	DWS FIELD MANAGER I	15	GRADE C119
33	(40)	D061C	INFO SYSTEMS COORDINATION SPEC	2	GRADE C119
34	(41)	A066C	INTERNAL AUDITOR	4	GRADE C119
35	(42)	A065C	PAYROLL SERVICES COORDINATOR	1	GRADE C119
36	(43)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119

1	(44)	X062C	QUALITY ASSURANCE COORDINATOR	1	GRADE C119
2	(45)	A060C	SENIOR AUDITOR	2	GRADE C119
3	(46)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
4	(47)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE C118
5	(48)	A075C	FINANCIAL ANALYST I	2	GRADE C118
6	(49)	A074C	FISCAL SUPPORT SUPERVISOR	6	GRADE C118
7	(50)	A073C	PROGRAM/FIELD AUDITOR SUPERVISOR	2	GRADE C118
8	(51)	A081C	AUDITOR	7	GRADE C117
9	(52)	R027C	BUDGET SPECIALIST	9	GRADE C117
10	(53)	G181C	DWS PROGRAM MONITOR	51	GRADE C117
11	(54)	R025C	HUMAN RESOURCES ANALYST	2	GRADE C117
12	(55)	D068C	INFORMATION SYSTEMS ANALYST	1	GRADE C117
13	(56)	G179C	LEGAL SERVICES SPECIALIST	2	GRADE C117
14	(57)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
15	(58)	B076C	RESEARCH PROJECT ANALYST	17	GRADE C117
16	(59)	E040C	STAFF DEVELOPMENT COORDINATOR	1	GRADE C117
17	(60)	A089C	ACCOUNTANT I	3	GRADE C116
18	(61)	V014C	BUYER	3	GRADE C116
19	(62)	G196C	DWS SATELLITE OFFICE SUPERVISOR	9	GRADE C116
20	(63)	A085C	DWS SR FIELD TAX REPRESENTATIVE	3	GRADE C116
21	(64)	A084C	PROGRAM/FIELD AUDIT SPECIALIST	7	GRADE C116
22	(65)	P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
23	(66)	E046C	TRAINING INSTRUCTOR	21	GRADE C116
24	(67)	C037C	ADMINISTRATIVE ANALYST	23	GRADE C115
25	(68)	D079C	COMPUTER SUPPORT TECHNICIAN	1	GRADE C115
26	(69)	A092C	DWS FIELD TAX REP	19	GRADE C115
27	(70)	G209C	DWS PROGRAM SUPERVISOR	43	GRADE C115
28	(71)	C032C	DWS UI CLAIM TECHNICIAN	20	GRADE C115
29	(72)	X139C	DWS UI INVESTIGATOR	12	GRADE C115
30	(73)	A091C	FISCAL SUPPORT ANALYST	20	GRADE C115
31	(74)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
32	(75)	S032C	PRINT SHOP SUPERVISOR	1	GRADE C115
33	(76)	V015C	PURCHASING SPECIALIST	1	GRADE C115
34	(77)	S031C	SKILLED TRADESMAN	1	GRADE C115
35	(78)	G217C	DWS WORKFORCE SPECIALIST	399	GRADE C114
36	(79)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	4	GRADE C113

1	(80)	G220C	DWS UNIT SUPERVISOR	5	GRADE C113
2	(81)	R036C	HUMAN RESOURCES SPECIALIST	6	GRADE C113
3	(82)	C046C	LEGAL SUPPORT SPECIALIST	10	GRADE C113
4	(83)	S046C	MAINTENANCE TECHNICIAN	1	GRADE C113
5	(84)	C056C	ADMINISTRATIVE SPECIALIST III	14	GRADE C112
6	(85)	A098C	FISCAL SUPPORT SPECIALIST	24	GRADE C112
7	(86)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
8	(87)	S054C	PRINTER	1	GRADE C111
9	(88)	V023C	STOREROOM SUPERVISOR	1	GRADE C111
10	(89)	X183C	DWS CLAIMS ADJUDICATOR	7	GRADE C110
11	(90)	C073C	ADMINISTRATIVE SPECIALIST II	11	GRADE C109
12	(91)	C087C	ADMINISTRATIVE SPECIALIST I	24	GRADE C106
13	(92)	S081C	APPRENTICE TRADESMAN	1	GRADE C105
14	(93)	S087C	INSTITUTIONAL SERVICES ASSISTANT	<u>1</u>	GRADE C103
15			MAX. NO. OF EMPLOYEES	978	

16

17 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 18 to the Department of Workforce Services, to be payable from the Department of
 19 Workforce Services Trust Fund, for personal services and operating expenses
 20 of the Department of Workforce Services for the fiscal year ending June 30,
 21 2015, the following:

22

23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2014-2015</u>
25	(01) REGULAR SALARIES	\$36,251,490
26	(02) EXTRA HELP	3,300,000
27	(03) PERSONAL SERVICES MATCHING	13,363,180
28	(04) OVERTIME	60,000
29	(05) MAINT. & GEN. OPERATION	
30	(A) OPER. EXPENSE	23,721,905
31	(B) CONF. & TRAVEL	705,440
32	(C) PROF. FEES	1,784,306
33	(D) CAP. OUTLAY	2,419,001
34	(E) DATA PROC.	<u>0</u>
35	TOTAL AMOUNT APPROPRIATED	<u><u>\$81,605,322</u></u>

36

SECTION 3. APPROPRIATION - UNEMPLOYMENT BENEFITS AND EXPENSES - CASH.
 There is hereby appropriated, to the Department of Workforce Services, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Workforce Services, for unemployment benefit payments and other expenses including, disaster relief payments, training allowances, payments to participant contractors and Unemployment Insurance Trust Fund loan repayments by the Department of Workforce Services - Unemployment Benefits and Expenses - Cash for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) DISASTER RELIEF PAYMENTS	\$5,000,000
(02) FEDERAL EMPLOYEES BENEFIT PAYMENTS	175,000,000
(03) U I BENEFITS - REIMBURSABLE EMPLOYERS	30,000,000
(04) U I BENEFITS - TAXABLE EMPLOYERS	600,000,000
(05) TRAINING ALLOWANCES	2,000,000
(06) PAYMENTS TO PART CONTRACTORS	5,000,000
(07) UI ADVANCE REPAYMENT	<u>50,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$867,000,000</u>

SECTION 4. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby appropriated, to the Department of Workforce Services, to be payable from the Department of Workforce Services Special Fund, for payment of the annual assessment to maintain voting member rights in the National Association of Workforce Agencies by the Department of Workforce Services for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) ANNUAL ASSESSMENT	<u>\$26,000</u>

SECTION 5. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.
 There is hereby appropriated, to the Department of Workforce Services, to be payable from the Department 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

1 buildings, building and land acquisition, rent of buildings, and payment of
 2 unemployment benefits and expenses incurred in the administration of the
 3 Employment Security Law when such expenses exceed funds available from other
 4 sources by the Department of Workforce Services for the fiscal year ending
 5 June 30, 2015, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
(01) CONSTRUCTION	\$0
(02) RENT OF BUILDINGS	0
(03) PAYMENT/EXPENSES	<u>11,304,389</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$11,304,389</u></u>

14 SECTION 6. APPROPRIATION - WORKFORCE INVESTMENT ACT. There is hereby
 15 appropriated, to the Department of Workforce Services, to be payable from the
 16 federal funds as designated by the Chief Fiscal Officer of the State, for
 17 grant payments of the Workforce Investment Act by the Department of Workforce
 18 Services for the fiscal year ending June 30, 2015, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
(01) WORKFORCE INVESTMENT ACT PAYMENTS	<u><u>\$60,000,000</u></u>

24 SECTION 7. APPROPRIATION - U I TRUST FUND INTEREST/UNEMPLOYMENT
 25 INSURANCE. There is hereby appropriated, to the Department of Workforce
 26 Services, to be payable from the Employment Security Advance Interest Trust
 27 Fund, for paying interest incurred by the state on advances from the Federal
 28 Unemployment Trust Fund, making refunds of advance interest taxes or interest
 29 and penalty payments which were erroneously paid, and returning moneys to the
 30 Unemployment Compensation Fund Clearing Account which were incorrectly
 31 identified and erroneously transferred, if needed, by the Department of
 32 Workforce Services for the fiscal year ending June 30, 2015, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
(01) U I TRUST FUND INTEREST	\$3,000,000

1	(02) LOAN INTEREST	<u>21,000,000</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$24,000,000</u></u>

3
 4 SECTION 8. APPROPRIATION - REED ACT FUNDS. There is hereby
 5 appropriated, to the Department of Workforce Services, to be payable from
 6 cash funds as defined by Arkansas Code 19-4-801 of the Department of
 7 Workforce Services, for construction, improvement of buildings, rent and
 8 lease costs, acquisition of data processing equipment, acquisition of land,
 9 payment of salaries and related benefits, maintenance and general operation
 10 and for the payment of unemployment insurance benefits, or as prescribed by
 11 the Social Security Act by the Department of Workforce Services for the
 12 fiscal year ending June 30, 2015, the following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2014-2015</u>
16	(01) REED ACT FUNDS	<u><u>\$38,500,000</u></u>

17
 18 SECTION 9. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
 19 BLOCK GRANT PAYING AND NEW HIRE REGISTRY. There is hereby appropriated, to
 20 the Department of Workforce Services, to be payable from the paying account
 21 as determined by the Chief Fiscal Officer of the State, for personal
 22 services, maintenance and general operations, and grant payments of the
 23 Department of Workforce Services - Temporary Assistance for Needy Families
 24 Block Grant Paying and New Hire Registry for the fiscal year ending June 30,
 25 2015, the following:

27	ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2014-2015</u>
29	(01) AR TRANSITIONAL EMPLOYMENT PRGM & NEW	
30	HIRE REGISTRY-PERSONAL SVCS, MAINT &	
31	GEN OPERATIONS, & GRANT PAYMENTS	<u><u>\$40,000,000</u></u>

32
 33 SECTION 10. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM.
 34 There is hereby appropriated, to the Department of Workforce Services, to be
 35 payable from the Individual Development Account Trust Fund, for operating
 36 expenses of the Department of Workforce Services - Individual Development

1 Account Program for the fiscal year ending June 30, 2015, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2014-2015</u>
5 (01) MAINT. & GEN. OPERATION	
6 (A) OPER. EXPENSE	\$0
7 (B) CONF. & TRAVEL	0
8 (C) PROF. FEES	1,700,000
9 (D) CAP. OUTLAY	0
10 (E) DATA PROC.	<u>0</u>
11 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,700,000</u></u>

12

13 SECTION 11. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES - TRAINING

14 TRUST FUND. There is hereby appropriated, to the Department of Workforce
 15 Services, to be payable from the Department of Workforce Services Training
 16 Trust Fund, for personal services, operating expenses, and grants for the
 17 Worker Training Program of the Department of Workforce Services - Training
 18 Trust Fund for the fiscal year ending June 30, 2015, the following:

19

20 ITEM	FISCAL YEAR
21 <u>NO.</u>	<u>2014-2015</u>
22 (01) PERSONAL SERVICES, OPERATING EXPENSES	
23 AND GRANTS	<u><u>\$5,000,000</u></u>

24

25 SECTION 12. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES -

26 UNEMPLOYMENT INSURANCE ADMINISTRATION FUND. There is hereby appropriated, to
 27 the Department of Workforce Services, to be payable from the Department of
 28 Workforce Services Unemployment Insurance Administration Fund, for operating
 29 expenses of the Unemployment Insurance Program of the Department of Workforce
 30 Services - Unemployment Insurance Administration Fund for the fiscal year
 31 ending June 30, 2015, the following:

32

33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2014-2015</u>
35 (01) OPERATING EXPENSES	<u><u>\$5,000,000</u></u>

36

SECTION 13. APPROPRIATION - LOANS TO LOCAL WORKFORCE INVESTMENT BOARDS.

There is hereby appropriated, to the Department of Workforce Services, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Workforce Services, for loans to local Workforce Investment Boards (WIB) for local WIB wire transfers by the Department of Workforce Services for the fiscal year ending June 30, 2015, the following:

ITEM	FISCAL YEAR
NO.	2014-2015
(01) LOANS	<u>\$1,500,000</u>

SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

RESTRICTIONS ON FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT INITIATIVE.

Funds appropriated for Community Investment Funds from the Temporary Assistance for Needy Families (TANF) Block Grant for the fiscal years ~~2011-~~ ~~2012~~ 2013-2014 and ~~2012-2013~~ 2014-2015 (combined) shall be subject to these restrictions in their use for the specified statutory purposes to the extent the funds are available:

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

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

SUSPENSION OR REDUCTION OF FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT

INITIATIVE. Spending for the Community Investment Initiative can be suspended or reduced if the Director of the Department of Workforce Services and the Transitional Employment Board certify that

- a) Funding from the Temporary Assistance for Needy Families block grant is needed to support a critical economic development initiative,
- b) Other funds from the Temporary Assistance for Needy Families block

1 grant are not available beyond those needed for the operation of the TEA,
2 Work Pays and High Wage Education and Training Programs and for an adequate
3 reserve for possible increases in cash assistance during the current fiscal
4 year, and

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

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

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

15 The provisions of this section shall be in effect only from July 1, ~~2012~~
16 2014 through June 30, ~~2013~~ 2015.

17
18 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
20 FORWARD - NEW HIRE REGISTRY. Any balance in the funds made available by this
21 Act for the New Hire Registry which remain on June 30, ~~2013~~ 2015, may be
22 carried forward into the next fiscal year, to be used for the same purpose.

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

25 (1) Prior to June 30, ~~2013~~ 2015 the Agency shall by written statement
26 set forth its reason(s) for the need to carry forward said funding to the
27 Department of Finance and Administration Office of Budget;

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

35 (3) Each Agency, Board, Commission or Institution shall provide a
36 written report to the Arkansas Legislative Council or Joint Budget Committee

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

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

11
12 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
14 HELP. There is hereby authorized, for the Department of Workforce Services
15 for the ~~2012-2013~~ 2014-2015 fiscal year, the following maximum number of
16 part-time or temporary employees, to be known as "Extra Help", payable from
17 funds appropriated herein for such purposes: three hundred eighty-four (384)
18 temporary or part-time employees, when needed, at rates of pay not to exceed
19 those provided in the Uniform Classification and Compensation Act, or its
20 successor, for the appropriate classification. Any of these positions
21 utilized in a manner which are funded by federal sources are specifically
22 exempt from limitation of hours, either by Act or Regulation.

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

31 The provisions of this section shall be in effect only from July 1, ~~2012~~
32 2014 through June 30, ~~2013~~ 2015.

33
34 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. "REED ACT
36 FUNDS". Funds received by the State may be used as specified in 903 of the

1 Social Security Act, for the purpose of construction and improvement of
2 buildings, rent/lease costs, acquisition of land, the payment of salaries and
3 related benefits of central and local office staff, maintenance and operation
4 of central and local offices, payment of unemployment insurance benefits, or
5 as otherwise prescribed in Section 903 of the Social Security Act, as
6 amended.

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

12 The provisions of this section shall be in effect only from July 1, ~~2012~~
13 2014 through June 30, ~~2013~~ 2015.

14
15 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

31 The provisions of this section shall be in effect only from July 1, ~~2012~~
32 2014 through June 30, ~~2013~~ 2015.

33
34 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
36 OF APPROPRIATION. Subject to such rules and regulations as may be

1 implemented by the Chief Fiscal Officer of the State and after having sought
2 the prior approval by the Arkansas Legislative Council or Joint Budget
3 Committee, the Director of the Department of Workforce Services is hereby
4 authorized to make transfers from any appropriation made by this Act to any
5 other appropriation made by this Act with the exception of the "Reed Act
6 Funds" appropriations set forth in Section 8 of this Act, and of the
7 appropriation made for Regular Salaries or Maintenance and General Operation.
8 Such transfers may be made whenever it appears, by projecting the
9 expenditures of any of the appropriations in this Act, that there will be a
10 deficiency of appropriation in one item and that there will be a
11 corresponding excess of appropriation in another item or items which may be
12 transferred. The transfer of appropriation shall be effected only on
13 approval of the Chief Fiscal Officer of the State. Provided, however, that no
14 transfer of appropriations may be authorized to increase the total amount
15 appropriated for Regular Salaries, or Maintenance and General Operations,
16 except as may be authorized elsewhere by law.

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

33 The provisions of this section shall be in effect only from July 1, ~~2012~~
34 2014 through June 30, ~~2013~~ 2015.

35
36 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-
2 AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR
3 NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the
4 Department of Human Services (DHS) and the Director of the Department of
5 Workforce Services (DWS), the Chief Fiscal Officer of the State may approve
6 up to three million six hundred forty thousand six hundred fifty dollars
7 (\$3,640,650) each fiscal year in State General Revenue appropriated to DWS
8 for the TANF program to be transferred to the DHS - Division of County
9 Operations in support of Arkansas' TANF Programs or any related separate
10 state programs.

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

16 The provisions of this section shall be in effect only from July 1, ~~2012~~
17 2014 through June 30, ~~2013~~ 2015.

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

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

34 The provisions of this section shall be in effect only from July 1, ~~2012~~
35 2014 through June 30, ~~2013~~ 2015.

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1 SECTION 23. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
2 authorized by this act shall be limited to the appropriation for such agency
3 and funds made available by law for the support of such appropriations; and
4 the restrictions of the State Procurement Law, the General Accounting and
5 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
6 Procedures and Restrictions Act, or their successors, and other fiscal
7 control laws of this State, where applicable, and regulations promulgated by
8 the Department of Finance and Administration, as authorized by law, shall be
9 strictly complied with in disbursement of said funds.

10
11 SECTION 24. LEGISLATIVE INTENT. It is the intent of the General
12 Assembly that any funds disbursed under the authority of the appropriations
13 contained in this act shall be in compliance with the stated reasons for
14 which this act was adopted, as evidenced by the Agency Requests, Executive
15 Recommendations and Legislative Recommendations contained in the budget
16 manuals prepared by the Department of Finance and Administration, letters, or
17 summarized oral testimony in the official minutes of the Arkansas Legislative
18 Council or Joint Budget Committee which relate to its passage and adoption.

19
20 SECTION 25. EMERGENCY CLAUSE. It is found and determined by the
21 General Assembly, that the Constitution of the State of Arkansas prohibits
22 the appropriation of funds for more than a one (1) year period; that the
23 effectiveness of this Act on July 1, 2014 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the legislative session, the delay in the
26 effective date of this Act beyond July 1, 2014 could work irreparable harm
27 upon the proper administration and provision of essential governmental
28 programs. Therefore, an emergency is hereby declared to exist and this Act
29 being necessary for the immediate preservation of the public peace, health
30 and safety shall be in full force and effect from and after July 1, 2014.

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