

Stricken language will be deleted and underlined language will be added.
Act 244 of the Fiscal Session

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

As Engrossed: H5/3/16
A Bill

HOUSE BILL 1017

5 By: Joint Budget Committee
6

7 **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, 2017; AND FOR OTHER PURPOSES.
12
13

14 **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF WORKFORCE
16 SERVICES APPROPRIATION FOR THE 2016-2017
17 FISCAL YEAR.
18
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 2016-2017 fiscal year, the following
24 maximum number of regular employees.
25

26				Maximum Annual	
27			Maximum	Salary Rate	
28	Item	Class	No. of	Fiscal Year	
29	No.	Code	Title	Employees	2016-2017
30	(1)	U037U	DWS DIRECTOR	1	\$147,187
31	(2)	U070U	DWS DEPUTY DIRECTOR	1	\$122,246
32	(3)	U076U	DWS WORKFORCE INVESTMENT DIRECTOR	1	\$114,385
33	(4)	U036U	AR APPEALS TRIBUNAL CHAIRMAN	1	\$110,864
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)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
10	(17)	A021C	AGENCY CONTROLLER I	1	GRADE C126
11	(18)	G047C	ATTORNEY SPECIALIST	2	GRADE C126
12	(19)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
13	(20)	D017C	INFORMATION SYSTEMS SECURITY SPECIAL	1	GRADE C126
14	(21)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
15	(22)	A031C	ASSISTANT CONTROLLER	3	GRADE C124
16	(23)	G073C	ATTORNEY	7	GRADE C124
17	(24)	G068C	DWS AREA OPERATIONS CHIEF	8	GRADE C124
18	(25)	D022C	SYSTEMS SPECIALIST	2	GRADE C124
19	(26)	G081C	DWS DIVISION CHIEF	5	GRADE C123
20	(27)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	16	GRADE C123
21	(28)	G243C	DWS FIELD MANAGER III	2	GRADE C121
22	(29)	G110C	DWS PROGRAM MANAGER	7	GRADE C121
23	(30)	G114C	DWS WORKFORCE INVEST REG ADVISOR	2	GRADE C121
24	(31)	G109C	GRANTS MANAGER	1	GRADE C121
25	(32)	D052C	SOFTWARE SUPPORT ANALYST	7	GRADE C121
26	(33)	G138C	AGENCY ADMINISTRATIVE REVIEW OFFICER	12	GRADE C120
27	(34)	R019C	BUDGET MANAGER	1	GRADE C120
28	(35)	R015C	DWS EQUAL OPPORTUNITY MANAGER	1	GRADE C120
29	(36)	G128C	DWS FIELD MANAGER II	18	GRADE C120
30	(37)	G127C	DWS PROGRAM OPERATIONS MANAGER	28	GRADE C120
31	(38)	E023C	TRAINING PROJECT MANAGER	2	GRADE C120
32	(39)	D062C	DATABASE ANALYST	1	GRADE C119
33	(40)	G149C	DWS FIELD MANAGER I	15	GRADE C119
34	(41)	D061C	INFORMATION SYSTEMS COORD. SPECIALIST	2	GRADE C119
35	(42)	A066C	INTERNAL AUDITOR	4	GRADE C119
36	(43)	A065C	PAYROLL SERVICES COORDINATOR	1	GRADE C119

1	(44)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
2	(45)	X062C	QUALITY ASSURANCE COORDINATOR	1	GRADE C119
3	(46)	A060C	SENIOR AUDITOR	2	GRADE C119
4	(47)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
5	(48)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE C118
6	(49)	A075C	FINANCIAL ANALYST I	2	GRADE C118
7	(50)	A074C	FISCAL SUPPORT SUPERVISOR	6	GRADE C118
8	(51)	A073C	PROGRAM/FIELD AUDITOR SUPERVISOR	2	GRADE C118
9	(52)	A081C	AUDITOR	7	GRADE C117
10	(53)	R027C	BUDGET SPECIALIST	9	GRADE C117
11	(54)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE C117
12	(55)	G181C	DWS PROGRAM MONITOR	51	GRADE C117
13	(56)	R025C	HUMAN RESOURCES ANALYST	2	GRADE C117
14	(57)	G179C	LEGAL SERVICES SPECIALIST	2	GRADE C117
15	(58)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
16	(59)	B076C	RESEARCH PROJECT ANALYST	13	GRADE C117
17	(60)	E040C	STAFF DEVELOPMENT COORDINATOR	2	GRADE C117
18	(61)	A089C	ACCOUNTANT I	3	GRADE C116
19	(62)	V014C	BUYER	3	GRADE C116
20	(63)	G196C	DWS SATELLITE OFFICE SUPERVISOR	9	GRADE C116
21	(64)	A085C	DWS SR FIELD TAX REPRESENTATIVE	3	GRADE C116
22	(65)	A084C	PROGRAM/FIELD AUDIT SPECIALIST	7	GRADE C116
23	(66)	P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
24	(67)	E046C	TRAINING INSTRUCTOR	23	GRADE C116
25	(68)	C037C	ADMINISTRATIVE ANALYST	26	GRADE C115
26	(69)	A092C	DWS FIELD TAX REP	16	GRADE C115
27	(70)	G209C	DWS PROGRAM SUPERVISOR	41	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	22	GRADE C115
31	(74)	S033C	MAINTENANCE SUPERVISOR	4	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	397	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	11	GRADE C113
4	(83)	S046C	MAINTENANCE TECHNICIAN	1	GRADE C113
5	(84)	C056C	ADMINISTRATIVE SPECIALIST III	15	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	23	GRADE C106
13	(92)	S081C	APPRENTICE TRADESMAN	2	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 2017, the following:

22

23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2016-2017</u>
25	(01) REGULAR SALARIES	\$33,679,388
26	(02) EXTRA HELP	3,300,000
27	(03) PERSONAL SERVICES MATCHING	12,724,828
28	(04) OVERTIME	60,000
29	(05) MAINT. & GEN. OPERATION	
30	(A) OPER. EXPENSE	21,335,741
31	(B) CONF. & TRAVEL	705,440
32	(C) PROF. FEES	4,000,000
33	(D) CAP. OUTLAY	2,419,001
34	(E) DATA PROC.	<u>0</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$78,224,398</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, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
(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	5,000,000
(06) PAYMENTS TO PART CONTRACTORS	10,000,000
(07) UI ADVANCE REPAYMENT	<u>1</u>
TOTAL AMOUNT APPROPRIATED	<u>\$825,000,001</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, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
(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, 2017, the following:

6	7 ITEM	FISCAL YEAR
8	<u>NO.</u>	<u>2016-2017</u>
9	(01) CONSTRUCTION	\$0
10	(02) RENT OF BUILDINGS	0
11	(03) PAYMENT/EXPENSES	<u>11,304,389</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$11,304,389</u></u>

13

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

15 There is hereby appropriated, to the Department of Workforce Services, to be
 16 payable from the federal funds as designated by the Chief Fiscal Officer of
 17 the State, for grant payments of the Workforce Innovation and Opportunity Act
 18 by the Department of Workforce Services for the fiscal year ending June 30,
 19 2017, the following:

20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2016-2017</u>
23	(01) WORKFORCE INNOVATION AND OPPORTUNITY ACT PAYMENTS	<u><u>\$60,000,000</u></u>

24

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

26 INSURANCE. There is hereby appropriated, to the Department of Workforce
 27 Services, to be payable from the Employment Security Advance Interest Trust
 28 Fund, for paying interest incurred by the state on advances from the Federal
 29 Unemployment Trust Fund, making refunds of advance interest taxes or interest
 30 and penalty payments which were erroneously paid, and returning moneys to the
 31 Unemployment Compensation Fund Clearing Account which were incorrectly
 32 identified and erroneously transferred, if needed, by the Department of
 33 Workforce Services for the fiscal year ending June 30, 2017, the following:

34

35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2016-2017</u>

1	(01) U I TRUST FUND INTEREST	\$3,000,000
2	(02) LOAN INTEREST	<u>1</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$3,000,001</u>

4

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

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

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

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

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

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

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

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

13 fiscal year ending June 30, 2017, the following:

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2016-2017</u>
17	(01) REED ACT FUNDS	<u>\$38,500,000</u>

18

19 SECTION 9. APPROPRIATION - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

20 BLOCK GRANT PAYING AND NEW HIRE REGISTRY. There is hereby appropriated, to

21 the Department of Workforce Services, to be payable from the paying account

22 as determined by the Chief Fiscal Officer of the State, for personal

23 services, maintenance and general operations, and grant payments of the

24 Department of Workforce Services - Temporary Assistance for Needy Families

25 Block Grant Paying and New Hire Registry for the fiscal year ending June 30,

26 2017, the following:

28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2016-2017</u>
30	(01) AR TRANSITIONAL EMPLOYMENT PRGM & NEW	
31	HIRE REGISTRY - PERSONAL SVCS, MAINT	
32	& GEN OPERATIONS, & GRANT PAYMENTS	<u>\$40,000,000</u>

33

34 SECTION 10. APPROPRIATION - INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM.

35 There is hereby appropriated, to the Department of Workforce Services, to be

36 payable from the Individual Development Account Trust Fund, for operating

1 expenses of the Department of Workforce Services - Individual Development
2 Account Program for the fiscal year ending June 30, 2017, the following:

3	4 ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2016-2017</u>
6	(01) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	\$0
8	(B) CONF. & TRAVEL	0
9	(C) PROF. FEES	1,700,000
10	(D) CAP. OUTLAY	0
11	(E) DATA PROC.	<u>0</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,700,000</u></u>

13
14 SECTION 11. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES - TRAINING
15 TRUST FUND. There is hereby appropriated, to the Department of Workforce
16 Services, to be payable from the Department of Workforce Services Training
17 Trust Fund, for personal services, operating expenses, and grants for the
18 Worker Training Program of the Department of Workforce Services - Training
19 Trust Fund for the fiscal year ending June 30, 2017, the following:

20	21 ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2016-2017</u>
23	(01) PERSONAL SERVICES, OPERATING EXPENSES 24 AND GRANTS	<u><u>\$5,000,000</u></u>

25
26 SECTION 12. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES -
27 UNEMPLOYMENT INSURANCE ADMINISTRATION FUND. There is hereby appropriated, to
28 the Department of Workforce Services, to be payable from the Department of
29 Workforce Services Unemployment Insurance Administration Fund, for operating
30 expenses of the Unemployment Insurance Program of the Department of Workforce
31 Services - Unemployment Insurance Administration Fund for the fiscal year
32 ending June 30, 2017, the following:

33	34 ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2016-2017</u>
36	(01) OPERATING EXPENSES	<u><u>\$5,000,000</u></u>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 13. APPROPRIATION - LOANS TO LOCAL WORKFORCE DEVELOPMENT
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
Development Boards (WDB) for local WDB wire transfers by the Department of
Workforce Services for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) LOANS	<u>\$1,500,000</u>

SECTION 14. APPROPRIATION - WORKFORCE DEVELOPMENT GRANT. There is
hereby appropriated, to the Department of Workforce Services, to be payable
from the federal funds as designated by the Chief Fiscal Officer of the
State, for personal services, maintenance and general operations, and grant
payments of the Department of Workforce Services - Workforce Development
Grant for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) WORKFORCE DEVELOPMENT GRANT - PERSONAL SERVICES, MAINTENANCE AND GENERAL OPERATIONS AND GRANT PAYMENTS	<u>\$10,000,000</u>

SECTION 15. 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 2015-
2016 and 2016-2017 (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),

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

6
7 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 SUSPENSION OR REDUCTION OF FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT
10 INITIATIVE. Spending for the Community Investment Initiative can be
11 suspended or reduced if the Director of the Department of Workforce Services
12 and the Transitional Employment Board certify that

13 a) Funding from the Temporary Assistance for Needy Families block grant
14 is needed to support a critical economic development initiative,

15 b) Other funds from the Temporary Assistance for Needy Families block
16 grant are not available beyond those needed for the operation of the TEA,
17 Work Pays and High Wage Education and Training Programs and for an adequate
18 reserve for possible increases in cash assistance during the current fiscal
19 year, and

20 c) Spending for the economic development initiative is allowable within
21 the federal rules governing the Temporary Assistance for Needy Families Block
22 Grant.

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

26 If spending on the Community Investment Initiative is reduced, these
27 reductions shall be assessed proportionately to the funds designated by the
28 TEA Board for each of the six statutory purposes of the Community Investment
29 Initiative.

30 The provisions of this section shall be in effect only from July 1, ~~2015~~
31 2016 through June 30, ~~2016~~ 2017.

32
33 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
35 FORWARD - NEW HIRE REGISTRY. Any balance in the funds made available by this
36 Act for the New Hire Registry which remain on June 30, ~~2016~~ 2017, may be

1 carried forward into the next fiscal year, to be used for the same purpose.

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

4 (1) Prior to June 30, ~~2016~~ 2017 the Agency shall by written statement
5 set forth its reason(s) for the need to carry forward said funding to the
6 Department of Finance and Administration Office of Budget;

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

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

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

26 The provisions of this section shall be in effect only from July 1, ~~2015~~
27 2016 through June 30, ~~2016~~ 2017.

28

29 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
31 HELP. There is hereby authorized, for the Department of Workforce Services
32 for the ~~2015-2016~~ 2016-2017 fiscal year, the following maximum number of
33 part-time or temporary employees, to be known as "Extra Help", payable from
34 funds appropriated herein for such purposes: three hundred eighty (380)
35 temporary or part-time employees, when needed, at rates of pay not to exceed
36 those provided in the Uniform Classification and Compensation Act, or its

1 successor, for the appropriate classification. Any of these positions
2 utilized in a manner which are funded by federal sources are specifically
3 exempt from limitation of hours, either by Act or Regulation.

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

12 The provisions of this section shall be in effect only from July 1, ~~2015~~
13 2016 through June 30, ~~2016~~ 2017.

14
15 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. "REED
17 ACT FUNDS". Funds received by the State may be used as specified in 903 of
18 the Social Security Act, for the purpose of construction and improvement of
19 buildings, rent/lease costs, acquisition of land, the payment of salaries and
20 related benefits of central and local office staff, maintenance and operation
21 of central and local offices, payment of unemployment insurance benefits, or
22 as otherwise prescribed in Section 903 of the Social Security Act, as
23 amended.

24 The amount obligated pursuant to this Act shall not exceed the amount by
25 which (a) the aggregate of the amounts transferred to the account of this
26 State pursuant to Section 903 of the Social Security Act exceeds (b) the
27 aggregate of the amounts used by this State and charged against the amounts
28 transferred to the account of this State.

29 The provisions of this section shall be in effect only from July 1, ~~2015~~
30 2016 through June 30, ~~2016~~ 2017.

31
32 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 ADDITIONAL POSITIONS. The Director of the Department of Workforce Services,
35 after receiving the approval of the Office of Personnel Management, and after
36 seeking the prior review by the Arkansas Legislative Council, shall have the

1 authority to establish such new or additional full time positions as may
2 become necessary to carry out the objectives of the program and/or to meet
3 Federal requirements of new and/or expanded programs where such needs are
4 financed by federal funds; provided that not more than two hundred persons
5 may be employed in addition to those authorized in the salary schedule and
6 that the rate of pay shall not exceed those set out in the salary schedule
7 for comparable positions as authorized under the provisions of Section 1 of
8 this Act.

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

12 The provisions of this section shall be in effect only from July 1, ~~2015~~
13 2016 through June 30, ~~2016~~ 2017.

14

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

34 Determining the maximum number of employees and the maximum amount of
35 appropriation and general revenue funding for a state agency each fiscal year
36 is the prerogative of the General Assembly. This is usually accomplished by

1 delineating such maximums in the appropriation act(s) for a state agency and
2 the general revenue allocations authorized for each fund and fund account by
3 amendment to the Revenue Stabilization law. Further, the General Assembly
4 has determined that the Department of Workforce Services may operate more
5 efficiently if some flexibility is provided to the Department of Workforce
6 Services authorizing broad powers under this Section. Therefore, it is both
7 necessary and appropriate that the General Assembly maintain oversight by
8 requiring prior approval of the Legislative Council or Joint Budget Committee
9 as provided by this section. The requirement of approval by the Legislative
10 Council or Joint Budget Committee is not a severable part of this section.
11 If the requirement of approval by the Legislative Council or Joint Budget
12 Committee is ruled unconstitutional by a court of competent jurisdiction,
13 this entire section is void.

14 The provisions of this section shall be in effect only from July 1, ~~2015~~
15 2016 through June 30, ~~2016~~ 2017.

16

17 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-
19 AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR
20 NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the
21 Department of Human Services (DHS) and the Director of the Department of
22 Workforce Services (DWS), the Chief Fiscal Officer of the State may approve
23 up to three million six hundred forty thousand six hundred fifty dollars
24 (\$3,640,650) each fiscal year in State General Revenue appropriated to DWS
25 for the TANF program to be transferred to the DHS - Division of County
26 Operations in support of Arkansas' TANF Programs or any related separate
27 state programs.

28 The Director of the Department of Workforce Services shall provide a
29 report of all transfers made to the DHS - Division of County Operations to
30 the Performance Evaluation and Expenditure Review Committee of the Arkansas
31 Legislative Council and Joint Budget Committee. The report must include the
32 justification for and the amount of the completed transfers.

33 The provisions of this section shall be in effect only from July 1, ~~2015~~
34 2016 through June 30, ~~2016~~ 2017.

35

36 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
2 OF TANF BLOCK GRANT FUNDS. Each fiscal year, the Department of Workforce
3 Services shall transfer the sum of seven million five hundred thousand
4 dollars (\$7,500,000) from the state's federal Temporary Assistance for Needy
5 Families block grant to the Department of Education Public School Fund
6 Account to be used solely for the Arkansas Better Chance Program.

7 If the state match for the Temporary Assistance for Needy Families grant
8 or the state's Temporary Assistance for Needy Families grant is reduced, the
9 amount to be transferred may be adjusted in proportion to the percentage
10 change in the state match or the state's Temporary Assistance for Needy
11 Families grant. The amount to be transferred may also be reduced
12 proportionately if new cost requirements are imposed upon the state as a
13 result of new or revised Temporary Assistance for Needy Families regulations
14 at the federal level.

15 The provisions of this section shall be in effect only from July 1, ~~2015~~
16 2016 through June 30, ~~2016~~ 2017.

17

18 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRAINING
20 TRUST FUND TRANSFER. Immediately upon the effective date of this Act, the
21 Chief Fiscal Officer of the State shall transfer on his or her books and
22 those of the State Treasurer and the Auditor of the State the sum of two
23 million five hundred thousand dollars (\$2,500,000) from the Department of
24 Workforce Services Training Trust Fund to the Skills Development Fund.

25 The provisions of this section shall be in effect only from July 1, ~~2015~~
26 2016 through June 30, ~~2016~~ 2017.

27

28 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
29 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW.
30 RESTRICTIONS ON FINANCIAL ASSISTANCE UNDER THE TEMPORARY ASSISTANCE FOR NEEDY
31 FAMILIES PROGRAM.

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

36 (2) The purposes of subsection (a) of this section are typically

1 accomplished by:

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

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

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

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

9 (b)(1) On or before October 1, 2016, the Department of Workforce
10 Services shall request a waiver from the federal government to:

11 (A) Restrict the financial assistance granted to a
12 recipient of the Temporary Assistance for Needy Families Program or its
13 successor program to purchase goods and services that are considered
14 essential and necessary for the welfare of the family, including without
15 limitation:

16 (i) Food;

17 (ii) Clothing;

18 (iii) Housing;

19 (iv) Utilities;

20 (v) Child care; and

21 (vi) Incidentals, including without limitation
22 transportation and medicine or medical supplies or equipment not covered by
23 either the Arkansas Medicaid Program or the health benefit plan of the
24 individual; and

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

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

31 (3) If the department does not request a wavier under
32 subdivision (b)(1) of this section, the department shall not allocate,
33 budget, expend, or utilize appropriations under this act for the
34 participation of persons in the Temporary Assistance for Needy Families
35 Program.

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

1 2016 through June 30, 2017.

2
3 SECTION 26. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
4 authorized by this act shall be limited to the appropriation for such agency
5 and funds made available by law for the support of such appropriations; and
6 the restrictions of the State Procurement Law, the General Accounting and
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
8 Procedures and Restrictions Act, or their successors, and other fiscal
9 control laws of this State, where applicable, and regulations promulgated by
10 the Department of Finance and Administration, as authorized by law, shall be
11 strictly complied with in disbursement of said funds.

12
13 SECTION 27. LEGISLATIVE INTENT. It is the intent of the General
14 Assembly that any funds disbursed under the authority of the appropriations
15 contained in this act shall be in compliance with the stated reasons for
16 which this act was adopted, as evidenced by the Agency Requests, Executive
17 Recommendations and Legislative Recommendations contained in the budget
18 manuals prepared by the Department of Finance and Administration, letters, or
19 summarized oral testimony in the official minutes of the Arkansas Legislative
20 Council or Joint Budget Committee which relate to its passage and adoption.

21
22 SECTION 28. EMERGENCY CLAUSE. It is found and determined by the
23 General Assembly, that the Constitution of the State of Arkansas prohibits
24 the appropriation of funds for more than a one (1) year period; that the
25 effectiveness of this Act on July 1, 2016 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the legislative session, the delay in the
28 effective date of this Act beyond July 1, 2016 could work irreparable harm
29 upon the proper administration and provision of essential governmental
30 programs. Therefore, an emergency is hereby declared to exist and this Act
31 being necessary for the immediate preservation of the public peace, health
32 and safety shall be in full force and effect from and after July 1, 2016.

33
34 /s/Joint Budget Committee

35 APPROVED: 05/09/2016

36