

2015 - 2017 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 Workforce Services, Department of

ACT#: 280

SECTION#: 14

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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 ~~2013-2014~~ 2014-2015 and ~~2014-2015~~ 2015-2016 (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).

AGENCY REQUEST

2015 - 2017 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 Workforce Services, Department of

ACT#: 280

SECTION#: 15

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2015 through June 30, ~~2014~~ 2016.

AGENCY REQUEST

2015 - 2017 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 Workforce Services, Department of

ACT#: 280

SECTION#: 16

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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, ~~2014~~ 2016, 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, ~~2014~~ 2016 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

(4) Thereupon, the Department of Finance and Administration shall

AGENCY REQUEST

2015 - 2017 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 Workforce Services, Department of

ACT#: 280

SECTION#: 16

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

2015 - 2017 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 Workforce Services, Department of

ACT#: 280

SECTION#: 17

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EXTRA HELP. There is hereby authorized, for the Department of Workforce Services for the ~~2013-2014~~ 2015-2016 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: three hundred eighty-four (384) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification. Any of these positions utilized in a manner which are funded by federal sources are specifically exempt from limitation of hours, either by Act or Regulation.

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

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2015 through June 30, ~~2014~~ 2016.

AGENCY REQUEST

2015 - 2017 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 Workforce Services, Department of

ACT#: 280

SECTION#: 18

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

"REED ACT FUNDS". Funds received by the State may be used as specified in 903 of the Social Security Act, for the purpose of construction and improvement of buildings, rent/lease costs, acquisition of land, the payment of salaries and related benefits of central and local office staff, maintenance and operation of central and local offices, payment of unemployment insurance benefits, or as otherwise prescribed in Section 903 of the Social Security Act, as amended.

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

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2015 through June 30, ~~2014~~ 2016.

AGENCY REQUEST

2015 - 2017 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 Workforce Services, Department of

ACT#: 280

SECTION#: 19

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2015 through June 30, ~~2014~~ 2016.

AGENCY REQUEST

2015 - 2017 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 Workforce Services, Department of

ACT#: 280

SECTION#: 20

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Workforce Services may operate more efficiently if some flexibility is

AGENCY REQUEST

2015 - 2017 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 Workforce Services, Department of

ACT#: 280

SECTION#: 20

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

provided to the Department of Workforce Services authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2015 through June 30, ~~2014~~ 2016.

2015 - 2017 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 Workforce Services, Department of

ACT#: 280

SECTION#: 21

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

INTER-AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the Department of Human Services (DHS) and the Director of the Department of Workforce Services (DWS), the Chief Fiscal Officer of the State may approve up to three million six hundred forty thousand six hundred fifty dollars (\$3,640,650) each fiscal year in State General Revenue appropriated to DWS for the TANF program to be transferred to the DHS - Division of County Operations in support of Arkansas' TANF Programs or any related separate state programs.

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

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2015 through June 30, ~~2014~~ 2016.

AGENCY REQUEST

2015 - 2017 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 Workforce Services, Department of

ACT#: 280

SECTION#: 22

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER OF TANF BLOCK GRANT FUNDS. Each fiscal year, the Department of Workforce Services shall transfer the sum of seven million five hundred thousand dollars (\$7,500,000) from the state's federal Temporary Assistance for Needy Families block grant to the Department of Education Public School Fund Account to be used solely for the Arkansas Better Chance Program.

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

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

AGENCY REQUEST

2015 - 2017 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 Workforce Services, Department of

ACT#: 280

SECTION#: 23

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRAINING TRUST FUND TRANSFER. Immediately upon the effective date of this Act, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of State the sum of two million five hundred thousand dollars (\$2,500,000) from the Department of Workforce Services Training Trust Fund to the Arkansas Economic Development Commission Fund Account.

AGENCY REQUEST