

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

HOUSE BILL 1359

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE EMPLOYMENT SECURITY DEPARTMENT
10 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1995; AND FOR
11 OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE EMPLOYMENT SECURITY DEPARTMENT
15 APPROPRIATION."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
20 for the Employment Security Department for the 1993-95 biennium, the following
21 maximum number of regular employees whose salaries shall be governed by the
22 provisions of the Uniform Classification and Compensation Act (Arkansas Code
23 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
24 Provided, however, that any position to which a specific maximum annual salary
25 is set out herein in dollars, shall be exempt from the provisions of said
26 Uniform Classification and Compensation Act. All persons occupying positions
27 authorized herein are hereby governed by the provisions of the Regular
28 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
29 successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1993-94	1994-95
35	(1) 9926	ESD DIRECTOR	1	\$ 82,062	\$ 84,934

1	(2)	9624	ESD DEPUTY DIRECTOR	1	\$ 67,736	\$ 70,106
2	(3)	7023	ESD ADMR OFC FIELD OPERATIONS	1	\$ 61,242	\$ 63,385
3	(4)	7024	ESD ADMR OFC FIN/MGMT & ADMIN SVCS	1	\$ 61,242	\$ 63,385
4	(5)	7027	ESD CHIEF COUNSEL/OFC LEGAL SVCS	1	\$ 61,242	\$ 63,385
5	(6)	7026	ESD ADMR OFC EMPLOY & TRAIN SVCSS	1	\$ 61,242	\$ 63,385
6	(7)	7025	ESD ADMR OFC UNEMPLOYMENT INS	1	\$ 61,242	\$ 63,385
7	(8)	9928	CHAIRMAN OF THE BOARD OF REVIEW	1	\$ 61,242	\$ 63,385
8	(9)	053Z	ESD DIR INTERNAL AUDIT & SECURITY	1		GRADE 26
9		827Z	DATA PROCESSING CENTER MANAGER	1		
10	(10)	R170	ATTORNEY SPECIALIST	1		GRADE 25
11	(11)	711Z	ESD DIVISION CHIEF	9		GRADE 24
12		710Z	ESD AREA OPERATION CHIEF	5		
13		R036	ATTORNEY	8		
14		D064	SR SYSTEMS PROGRAMMER	1		
15		716Z	ESD ASSISTANT ADMINISTRATOR	1		
16	(12)	D046	SYSTEMS APPLICATIONS SUPERVISOR	5		GRADE 23
17	(13)	D038	SYSTEMS PROGRAMMER	3		GRADE 22
18		795Z	ESD MANAGER II	17		
19		744Z	ESD EQUAL OPPORTUNITY MANAGER	1		
20		D106	DATA PROCESSING OPERATIONS MANAGER	1		
21		717Z	ESD PERSONNEL MANAGER	1		
22		D124	LEAD PROGRAMMER/ANALYST	3		
23	(14)	A104	TAX AUDITOR SUPERVISOR	1		GRADE 21
24		D036	SR PROGRAMMER/ANALYST	23		
25		799Z	ESD MANAGER I	10		
26		R111	ESD PROGRAM OPERATIONS MANAGER	16		
27		A008	ACCOUNTING SUPV II	6		
28		D010	DATA BASE ANALYST	2		
29		V080	MGR PURCHASING & PROPERTY MGT	1		
30	(15)	A056	INTERNAL AUDITOR	3		GRADE 20
31		C018	ESD COMMUNICATIONS & MEDIA OFFICER	1		
32		R426	ESD RESEARCH & ANALYSIS MGR	5		
33		A036	FIELD AUDITOR SUPERVISOR	6		
34		R266	MANAGEMENT PROJECT ANALYST II	7		
35		Y116	MAINTENANCE SYSTEMS SUPV	1		

1	A006 ACCOUNTING SUPV I	2	
2	(16) A122 ACCOUNTING SERVICES REP I	1	GRADE 19
3	A154 ESD FIELD TAX REP III	7	
4	R059 ESD APPEALS REFEREE	15	
5	R030 ASST PERSONNEL MANAGER	1	
6	R344 ESD SATELLITE OFFICE SUPERVISOR	8	
7	Y031 ESD PRINT SHOP SUPERVISOR	2	
8	R086 CIVIL RIGHTS COORDINATOR	2	
9	R168 GRANTS COORDINATOR II	1	
10	E074 TRAINING REPRESENTATIVE	4	
11	(17) R264 MANAGEMENT PROJECT ANALYST I	36	GRADE 18
12	X355 ESD U I INVESTIGATOR II	13	
13	A070 ESD FIELD TAX REP II	28	
14	R169 ESD EMPLOYMENT SERVICES REP	8	
15	X310 ESD TECHNICIAN II	21	
16	D034 PROGRAMMER ANALYST	4	
17	R048 BUDGET SPECIALIST	4	
18	A111 ACCOUNTANT	15	
19	R237 ESD PROGRAM SUPERVISOR	59	
20	R327 ESD RESEARCH & ANALYSIS ANALYST	22	
21	V040 PURCHASE AGENT II/PURCHASE AGENT	1	
22	W030 RECORDS MANAGEMENT ANALYST II	1	
23	G028 BUILDING PLANT MAINTENANCE SUPV II	1	
24	(18) D061 TELEPROCESSING MONITOR	2	GRADE 17
25	R162 STATISTICIAN/STATISTICIAN II	1	
26	R257 ESD INTERVIEWER II	299	
27	X312 ESD TECHNICIAN I	4	
28	K040 ESD UNIT SUPERVISOR II	8	
29	X353 ESD U I INVESTIGATOR I	1	
30	D018 DATA PROCESSING SUPERVISOR I	3	
31	R010 ADMINISTRATIVE ASSISTANT II	8	
32	Y055 JOURNEYMAN ELECTRICIAN	1	
33	A055 ESD FIELD TAX REPRESENTATIVE I	3	
34	R190 PERSONNEL OFFICER II	1	
35	(19) K044 ESD UNIT SUPERVISOR I	8	GRADE 16

1	(20)	D005	COMPUTER OPERATOR II	6	GRADE 15
2		R259	ESD INTERVIEWER I	25	
3		A108	ACCOUNTING TECHNICIAN II	3	
4		R009	ADMINISTRATIVE ASSISTANT I	1	
5		V039	PURCHASE AGENT I/ASST PURCHASE AGEN	1	
6		A063	PAYROLL OFFICER	1	
7		K011	ADMIN SUPPORT SUPERVISOR	8	
8		V051	STOREROOM SUPV/STORE SUPV	1	
9		K105	REPRO EQUIP OPR SUPV	1	
10	(21)	X336	ESD CLAIMS ADJUDICATOR	25	GRADE 14
11		K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	10	
12		K079	MICRO-PHOTOGRAPHER SUPERVISOR	1	
13		K117	MEDICAL OR LEGAL SECRETARY	7	
14	(22)	A012	ESD ACCOUNTING CLERK	5	GRADE 13
15		D114	DATA PROCESSING PROD SCHEDULER	2	
16		K153	SECRETARY II	36	
17	(23)	K039	DOCUMENT EXAMINER II	30	GRADE 12
18		K115	STATISTICIAN ASST II/STATISTICIAN I	1	
19		X330	ESD CLAIMS ADJUDICATOR TRAINEE	1	
20		K089	PERSONNEL ASSISTANT	1	
21	(24)	K155	SECRETARY I	5	GRADE 11
22	(25)	K037	DOCUMENT EXAMINER I	2	GRADE 10
23		V029	INVENTORY CONTROL CLERK	2	
24		W023	RECORDS CENTER OPERATOR II	2	
25		K006	DATA ENTRY SPECIALIST	13	
26	(26)	K077	MICRO-PHOTOGRAPHER II	2	GRADE 09
27		K065	MAIL OFFICER	3	
28	(27)	K015	OFFICE CLERK	1	GRADE 07
29	(28)	G107	BLDG/EQUIP MAINT REPAIRMAN I	1	GRADE 06
30	(29)	G171	CUSTODIAL WRKR I	<u>1</u>	GRADE 03
31			MAX NO. OF EMPLOYEES	941	
32					

33 SECTION 2. EXTRA HELP. There is hereby authorized, for the Employment
34 Security Department for the 1993-95 biennium, the following maximum number of
35 part-time or temporary employees, to be known as "Extra Help", payable from

1 funds appropriated herein for such purposes: four hundred (400) temporary or
2 part-time employees, when needed, at rates of pay not to exceed those provided
3 in the Uniform Classification and Compensation Act, or its successor, for the
4 appropriate classification. Any of these positions utilized in a manner which
5 are funded by federal sources are specifically exempt from limitation of
6 hours, either by Act or Regulation.

7

8 SECTION 3. APPROPRIATIONS - OPERATIONS. There is hereby appropriated,
9 to the Employment Security Department, to be payable from cash funds as
10 defined by Arkansas Code 19-4-801 of the Employment Security Department, for
11 ~~personal services and operating expenses of the Employment Security Department~~
12 for the biennial period ending June 30, 1995, the following:

13

14 ITEM	FISCAL YEARS	
15 NO.	1993-94	1994-95
16 (01) REGULAR SALARIES	24,533,613 \$	25,398,214
17 (02) EXTRA HELP	3,393,000	3,393,000
18 (03) PERSONAL SERV MATCHING	7,036,325	7,200,176
19 (04) OVERTIME	1	1
20 (05) MAINT. & GEN. OPERATION		
21 (A) OPER. EXPENSE \$	7,738,724 \$	7,879,452
22 (B) CONF. & TRVL.	230,500	230,500
23 (C) PROF. FEES	1,000,000	1,000,000
24 (D) CAP. OUTLAY	4,942,000	2,242,000
25 (E) DATA PROC.	<u>900,000</u>	<u>900,000</u>
26 TOTAL MAINT. & GEN. OPER.	14,811,224	12,251,952
27 (06) DISASTER RELIEF PAYMENTS	2,000,000	2,000,000
28 (07) TRAINING ALLOWANCES	10,000,000	10,000,000
29 (08) PAY TO PARTICIPANT CONTRACTORS	10,000,000	10,000,000
30 (09) UI LOAN REPAYMENT	1	1
31 (10) ESD SPECIAL FUND	100,000	100,000
32 (11) FED. EMP. BENEFIT PAYMENTS	70,000,000	70,000,000
33 (12) U.I. BENEFITS - TAXABLE EMPLOYERS	205,000,000	210,000,000
34 (13) U.I. BENEFITS - REIMBURSEABLE EMPLOYERS	<u>12,000,000</u>	<u>14,000,000</u>
35 TOTAL AMOUNT APPROPRIATED	<u>\$ 358,874,164</u>	<u>\$ 364,343,344</u>

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2 SECTION 4. "REED ACT FUNDS". There is hereby appropriated out of funds
3 made available to this State under Section 903 of the Social Security Act, as
4 amended, the sum of \$5,000,000, or so much thereof as may be necessary, to be
5 used, under the direction of the Employment Security Department, for the
6 purpose of construction and improvement of buildings, rent/lease costs,
7 acquisition of data processing equipment, acquisition of land and/or for the
8 payment of salaries and related benefits of local office staff of the
9 Employment Security Department for the biennial period ending June 30, 1995.

10

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

16

17 SECTION 5. APPROPRIATIONS - ESD SPECIAL FUND. There is hereby
18 appropriated, to the Employment Security Department, to be payable from the
19 Employment Security Special Fund for the use of the Employment Security
20 Department for the biennial period ending June 30, 1995, the following:

21 (A) For maintenance, repairs, equipment, furnishings, and upkeep of the
22 Administration Building and all other agency-owned buildings, and maintenance
23 of adjacent parking areas of the Arkansas Employment Security Department, the
24 sum of \$455,000.

25 (B) For the acquisition of buildings, acquisitions of land, construction
26 of buildings, and/or modification of existing buildings outside of the Pulaski
27 County area, the sum of \$200,000.

28 (C) For rent of buildings, the sum of \$ 96,708.

29 (D) For payment of special improvement district taxes, the sum of
30 \$ 1,000.

31

32 SECTION 6. APPROPRIATIONS - ANNUAL ASSESSMENT. There is hereby
33 appropriated, to the Employment Security Department, to be payable from the
34 Employment Security Special Fund, for payment of the annual assessment to
35 maintain voting member rights in the Interstate Conference of Employment

1 Security Agencies for the Employment Security Department for the biennial
2 period ending June 30, 1995, the following:

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4 ITEM	FISCAL YEARS	
5 NO.	1993-94	1994-95
6 (01) ANNUAL ASSESSMENT	<u>\$ 25,000</u>	<u>\$ 25,000</u>

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8 SECTION 7. APPROPRIATIONS - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.

9 There is hereby appropriated, to the Employment Security Department, to be
10 payable from the Employment Security Special Fund, for payment of unemployment
11 ~~benefits and of expenses incurred in the administration of the Employment~~
12 Security Law when such expenses exceed funds available from other sources for
13 services performed and/or costs incurred in the administration of such law by
14 the Employment Security Department for the biennial period ending June 30,
15 1995, the following:

16

17 ITEM	FISCAL YEARS	
18 NO.	1993-94	1994-95
19 (01) PAYMENT/EXPENSES	<u>\$ 4,000,000</u>	<u>\$ 4,000,000</u>

20

21 ~~SECTION 8. APPROPRIATIONS - JOB TRAINING PARTNERSHIP ACT. There is~~

22 hereby appropriated, to the Employment Security Department, to be payable from
23 the federal funds as designated by the Chief Fiscal Officer of the State, for
24 grant payments of the Jobs Training Partnership Act of the Employment Security
25 Department for the biennial period ending June 30, 1995, the following:

26

27 ITEM	FISCAL YEARS	
28 NO.	1993-94	1994-95
29 (01) JTPA GRANT PAYMENTS	<u>\$ 52,100,000</u>	<u>\$ 52,100,000</u>

30

31 SECTION 9. APPROPRIATIONS. There is hereby appropriated, to the
32 Employment Security Department, to be payable from the Employment Security
33 Advance Interest Trust Fund, to allow transfer of funds from the Employment
34 Security Advance Interest Trust Fund to the Unemployment Insurance Trust Fund,
35 ~~for payment of unemployment insurance benefits, and to pay Unemployment~~

1 Insurance Trust Fund loan interest, if needed, for the biennial period ending
2 June 30, 1995, the following:

3

4 ITEM	FISCAL YEARS	
5 NO.	1993-94	1994-95
6 (01) UI TRUST FUND TRANSFER	\$ 6,200,000	\$ 6,200,000
7 (02) LOAN INTEREST	<u>1</u>	<u>1</u>
8 TOTAL AMOUNT APPROPRIATED	<u>\$ 6,200,001</u>	<u>\$ 6,200,001</u>

9

10 SECTION 10. ADDITIONAL POSITIONS. The Director of the Employment
 11 Security Department, after receiving the approval of the Office of Personnel
 12 Management, and after seeking the prior review by the Arkansas Legislative
 13 Council, shall have the authority to establish such new or additional full
 14 time positions as may become necessary to carry out the objectives of the
 15 program and/or to meet Federal requirements of new and/or expanded programs
 16 where such needs are financed by federal funds; provided that not more than
 17 two hundred persons may be employed in addition to those authorized in the
 18 salary schedule and that the rate of pay shall not exceed those set out in the
 19 salary schedule for comparable positions as authorized under the provisions of
 20 Section 1 of this Act.

21

22 SECTION 11. TRANSFER OF APPROPRIATION. Subject to such rules and
 23 regulations as may be implemented by the Chief Fiscal Officer of the State and
 24 after having sought the prior review by the Arkansas Legislative Council, the
 25 Director of the Employment Security Department is hereby authorized to make
 26 transfers from any appropriation made by this Act to any other appropriation
 27 made by this Act with the exception of the "Reed Act Funds" appropriations set
 28 forth in Section 4 of this Act, and of the appropriation made for Regular
 29 Salaries or Maintenance and General Operation. Such transfers may be made
 30 whenever it appears, by projecting the expenditures of any of the
 31 appropriations in this Act, that there will be a deficiency of appropriation
 32 in one item and that there will be a corresponding excess of appropriation in
 33 ~~another item or items which may be transferred. The transfer of appropriation~~
 34 shall be effected only on approval of the Chief Fiscal Officer of the State.
 35 Provided, however, that no transfer of appropriations may be authorized to

1 increase the total amount appropriated for Regular Salaries, or Maintenance
2 and General Operations, except as may be authorized elsewhere by law.

3

4 SECTION 12. CARRY FORWARD. Any unexpended balance of appropriation
5 made by this Act, with the exception of appropriation made for Regular
6 Salaries and Maintenance and General Operation, which remains at the close of
7 the fiscal year ending June 30, 1994, shall be transferred forward and made
8 available for the same purpose for the fiscal year ending June 30, 1995.

9

10 SECTION 13. RESTRICTIONS. Upon approval and implementation of the
11 Office of Personnel Management's (OPM) classification recommendations of
12 September 17, 1984, to be effective July 1, 1985, incumbents who occupied
13 specified positions in the following recommended classifications or titles on
14 or before September 17, 1984, and who remain in those classifications and/or
15 specified positions, shall continue to be paid at the grade authorized for
16 that classification and position which was in effect on June 30, 1985.
17 Employees who entered these classifications and/or specified positions after
18 September 17, 1984, shall be paid at the OPM recommended classification and
19 pay grade, as specified below:

20

21 ESD FY 85-87				OPM
22 Payroll			June 30, 1985	Recom.
23 Position	Class		Authorized	Pay
24 <u>Numbers</u>	<u>Code</u>	<u>Title/Class</u>	<u>Grade</u>	<u>Grade</u>
25 0867	A012	ESD Accounting Clerk III	13	12
26 0868		(Reclassify to K039, Document		
27 0869		Examiner II, Grade 12)		

28

29 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
30 authorized by this Act shall be limited to the appropriation for such agency
31 and funds made available by law for the support of such appropriations; and
32 the restrictions of the State Purchasing Law, the General Accounting and
33 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
34 Procedures and Restrictions Act, or their successors, and other fiscal control
35 laws of this State, where applicable, and regulations promulgated by the

1 Department of Finance and Administration, as authorized by law, shall be
2 strictly complied with in disbursement of said funds.

3

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

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13 SECTION 16. CODE. All provisions of this Act of a general and
14 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
15 Arkansas Code Revision Commission shall incorporate the same in the Code.

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17 SECTION 17. SEVERABILITY. If any provision of this Act or the
18 application thereof to any person or circumstance is held invalid, such
19 invalidity shall not affect other provisions or applications of the Act which
20 can be given effect without the invalid provision or application, and to this
21 end the provisions of this Act are declared to be severable.

22

23 SECTION 18. GENERAL REPEALER. All laws and parts of laws in conflict
24 with this Act are hereby repealed.

25

26 SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the
27 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
28 prohibits the appropriation of funds for more than a two (2) year period; that
29 the effectiveness of this Act on July 1, 1993 is essential to the operation of
30 the agency for which the appropriations in this Act are provided, and that in
31 the event of an extension of the Regular Session, the delay in the effective
32 date of this Act beyond July 1, 1993 could work irreparable harm upon the
33 proper administration and provision of essential governmental programs.
34 Therefore, an emergency is hereby declared to exist and this Act being
35 necessary for the immediate preservation of the public peace, health and

1 safety shall be in full force and effect from and after July 1, 1993.

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/s/John E. Miller

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