

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

# A Bill

**ACT 595 OF 1993**  
**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.

Item	Class	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				1993-94	1994-95
35	(1) 9926	ESD DIRECTOR	1	\$ 82,062	\$ 84,934
36	(2) 9624	ESD DEPUTY DIRECTOR	1	\$ 67,736	\$ 70,106

1	(3)	7023	ESD ADMR OFC FIELD OPERATIONS	1	\$ 61,242	\$ 63,385
2	(4)	7024	ESD ADMR OFC FIN/MGMT & ADMIN SVCS	1	\$ 61,242	\$ 63,385
3	(5)	7027	ESD CHIEF COUNSEL/OFC LEGAL SVCS	1	\$ 61,242	\$ 63,385
4	(6)	7026	ESD ADMR OFC EMPLOY & TRAIN SVCSS	1	\$ 61,242	\$ 63,385
5	(7)	7025	ESD ADMR OFC UNEMPLOYMENT INS	1	\$ 61,242	\$ 63,385
6	(8)	9928	CHAIRMAN OF THE BOARD OF REVIEW	1	\$ 61,242	\$ 63,385
7	(9)	053Z	ESD DIR INTERNAL AUDIT & SECURITY	1		GRADE 26
8		827Z	DATA PROCESSING CENTER MANAGER	1		
9	(10)	R170	ATTORNEY SPECIALIST	1		GRADE 25
10	(11)	711Z	ESD DIVISION CHIEF	9		GRADE 24
11		710Z	ESD AREA OPERATION CHIEF	5		
12		R036	ATTORNEY	8		
13		D064	SR SYSTEMS PROGRAMMER	1		
14		716Z	ESD ASSISTANT ADMINISTRATOR	1		
15	(12)	D046	SYSTEMS APPLICATIONS SUPERVISOR	5		GRADE 23
16	(13)	D038	SYSTEMS PROGRAMMER	3		GRADE 22
17		795Z	ESD MANAGER II	17		
18		744Z	ESD EQUAL OPPORTUNITY MANAGER	1		
19		D106	DATA PROCESSING OPERATIONS MANAGER	1		
20		717Z	ESD PERSONNEL MANAGER	1		
21		D124	LEAD PROGRAMMER/ANALYST	3		
22	(14)	A104	TAX AUDITOR SUPERVISOR	1		GRADE 21
23		D036	SR PROGRAMMER/ANALYST	23		
24		799Z	ESD MANAGER I	10		
25		R111	ESD PROGRAM OPERATIONS MANAGER	16		
26		A008	ACCOUNTING SUPV II	6		
27		D010	DATA BASE ANALYST	2		
28		V080	MGR PURCHASING & PROPERTY MGT	1		
29	(15)	A056	INTERNAL AUDITOR	3		GRADE 20
30		C018	ESD COMMUNICATIONS & MEDIA OFFICER	1		
31		R426	ESD RESEARCH & ANALYSIS MGR	5		
32		A036	FIELD AUDITOR SUPERVISOR	6		
33		R266	MANAGEMENT PROJECT ANALYST II	7		
34		Y116	MAINTENANCE SYSTEMS SUPV	1		
35		A006	ACCOUNTING SUPV I	2		

1	(16)	A122 ACCOUNTING SERVICES REP I	1	GRADE 19
2		A154 ESD FIELD TAX REP III	7	
3		R059 ESD APPEALS REFEREE	15	
4		R030 ASST PERSONNEL MANAGER	1	
5		R344 ESD SATELLITE OFFICE SUPERVISOR	8	
6		Y031 ESD PRINT SHOP SUPERVISOR	2	
7		R086 CIVIL RIGHTS COORDINATOR	2	
8		R168 GRANTS COORDINATOR II	1	
9		E074 TRAINING REPRESENTATIVE	4	
10	(17)	R264 MANAGEMENT PROJECT ANALYST I	36	GRADE 18
11		X355 ESD U I INVESTIGATOR II	13	
12		A070 ESD FIELD TAX REP II	28	
13		R169 ESD EMPLOYMENT SERVICES REP	8	
14		X310 ESD TECHNICIAN II	21	
15		D034 PROGRAMMER ANALYST	4	
16		R048 BUDGET SPECIALIST	4	
17		A111 ACCOUNTANT	15	
18		R237 ESD PROGRAM SUPERVISOR	59	
19		R327 ESD RESEARCH & ANALYSIS ANALYST	22	
20		V040 PURCHASE AGENT II/PURCHASE AGENT	1	
21		W030 RECORDS MANAGEMENT ANALYST II	1	
22		G028 BUILDING PLANT MAINTENANCE SUPV II	1	
23	(18)	D061 TELEPROCESSING MONITOR	2	GRADE 17
24		R162 STATISTICIAN/STATISTICIAN II	1	
25		R257 ESD INTERVIEWER II	299	
26		X312 ESD TECHNICIAN I	4	
27		K040 ESD UNIT SUPERVISOR II	8	
28		X353 ESD U I INVESTIGATOR I	1	
29		D018 DATA PROCESSING SUPERVISOR I	3	
30		R010 ADMINISTRATIVE ASSISTANT II	8	
31		Y055 JOURNEYMAN ELECTRICIAN	1	
32		A055 ESD FIELD TAX REPRESENTATIVE I	3	
33		R190 PERSONNEL OFFICER II	1	
34	(19)	K044 ESD UNIT SUPERVISOR I	8	GRADE 16
35	(20)	D005 COMPUTER OPERATOR II	6	GRADE 15

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

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32 SECTION 2. EXTRA HELP. There is hereby authorized, for the Employment  
33 Security Department for the 1993-95 biennium, the following maximum number of  
34 part-time or temporary employees, to be known as "Extra Help", payable from  
35 funds appropriated herein for such purposes: four hundred (400) temporary or

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

6

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

12

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

35

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

9

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

15

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

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

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

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

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

30

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

1 period ending June 30, 1995, the following:

2

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

6

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

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

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

19

20 SECTION 8. APPROPRIATIONS - JOB TRAINING PARTNERSHIP ACT. There is

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

25

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

29

30 SECTION 9. APPROPRIATIONS. There is hereby appropriated, to the

31 Employment Security Department, to be payable from the Employment Security  
32 Advance Interest Trust Fund, to allow transfer of funds from the Employment  
33 Security Advance Interest Trust Fund to the Unemployment Insurance Trust Fund,  
34 for payment of unemployment insurance benefits, and to pay Unemployment  
35 ~~Insurance Trust Fund loan interest, if needed, for the biennial period ending~~

1 June 30, 1995, the following:

2

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

8

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

20

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

1 and General Operations, except as may be authorized elsewhere by law.

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

8

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

19

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

27

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

1 strictly complied with in disbursement of said funds.

2

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

11

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

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

21

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

24

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

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*/s/John E. Miller*

APPROVED: 03/19/93