

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Joint Budget Committee**

# A Bill

**ACT 174 OF 1995**  
**HOUSE BILL 1338**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE ARKANSAS EMPLOYMENT SECURITY  
10 DEPARTMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1997;  
11 AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT FOR THE ARKANSAS EMPLOYMENT  
15 SECURITY DEPARTMENT APPROPRIATION FOR  
16 THE 1995-97 BIENNIUM."

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

20 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
21 for the Arkansas Employment Security Department for the 1995-97 biennium, the  
22 following maximum number of regular employees whose salaries shall be governed  
23 by the provisions of the Uniform Classification and Compensation Act (Arkansas  
24 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
25 Provided, however, that any position to which a specific maximum annual salary  
26 is set out herein in dollars, shall be exempt from the provisions of said  
27 Uniform Classification and Compensation Act. All persons occupying positions  
28 authorized herein are hereby governed by the provisions of the Regular  
29 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
30 successor.

Item	Class		Maximum	Maximum Annual		
			No. of	Salary Rate		
			Employees	Fiscal Years		
<del>35</del>	<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees</del>	<del>1995-96</del>	<del>1996-97</del>
36	(1)	9926	ESD DIRECTOR	1	\$ 88,797	\$ 91,016

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1	(2)	9624	ESD DEPUTY DIRECTOR	1	\$ 73,295	\$ 75,127
2	(3)	9928	CHAIRMAN OF THE BOARD OF REVIEW	1	\$ 66,268	\$ 67,924
3	(4)	7023	ESD ADMR OFC FIELD OPERATIONS	1	\$ 66,268	\$ 67,924
4	(5)	7024	ESD ADMR OFC FIN/MGMT & ADMIN SVCS	1	\$ 66,268	\$ 67,924
5	(6)	7027	ESD CHIEF COUNSEL/OFC LEGAL SVCS	1	\$ 66,268	\$ 67,924
6	(7)	7026	ESD ADMR OFC EMPLOY & TRAIN SVCS	1	\$ 66,268	\$ 67,924
7	(8)	7025	ESD ADMR OFC UNEMPLOYMENT INS	1	\$ 66,268	\$ 67,924
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	4		
13		R036	ATTORNEY	7		
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 SUPERVISOR 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	2		
33		A036	FIELD AUDITOR SUPERVISOR	5		
34		R266	MANAGEMENT PROJECT ANALYST II	7		
35		Y116	MAINTENANCE SYSTEMS SUPV	1		

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1	A006 ACCOUNTING SUPERVISOR I	1	
2	(16) A154 ESD FIELD TAX REP III	7	GRADE 19
3	R059 ESD APPEALS REFEREE	15	
4	R030 ASST PERSONNEL MANAGER	1	
5	R344 ESD SATELLITE OFFICE SUPERVISOR	6	
6	R086 CIVIL RIGHTS COORDINATOR	1	
7	R048 BUDGET SPECIALIST	4	
8	R168 GRANTS COORDINATOR II	1	
9	E074 TRAINING REPRESENTATIVE	3	
10	Y031 ESD PRINT SHOP SUPERVISOR	1	
11	(17) R264 MANAGEMENT PROJECT ANALYST I	24	GRADE 18
12	X355 ESD U I INVESTIGATOR II	13	
13	A070 ESD FIELD TAX REP II	28	
14	R169 ESD EMPLOYMENT SERVICES REP	4	
15	X310 ESD TECHNICIAN II	12	
16	D034 PROGRAMMER ANALYST	2	
17	A111 ACCOUNTANT	14	
18	R237 ESD PROGRAM SUPERVISOR	54	
19	R327 ESD RESEARCH & ANALYSIS ANALYST	20	
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) R162 STATISTICIAN/STATISTICIAN II	1	GRADE 17
24	R257 ESD INTERVIEWER II	274	
25	K040 ESD UNIT SUPERVISOR II	8	
26	X312 ESD TECHNICIAN I	1	
27	X353 ESD U I INVESTIGATOR I	1	
28	D018 DATA PROCESSING SUPERVISOR I	3	
29	R010 ADMINISTRATIVE ASSISTANT II	8	
30	Y055 JOURNEYMAN ELECTRICIAN	1	
31	A055 ESD FIELD TAX REP I	3	
32	D061 TELEPROCESSING MONITOR	1	
33	R190 PERSONNEL OFFICER II	1	
34	(19) K044 ESD UNIT SUPERVISOR I	8	GRADE 16
35	(20) D005 COMPUTER OPERATOR II	3	GRADE 15

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1	R259 ESD INTERVIEWER I	11	
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 ADMINISTRATIVE OFFICE SUPERVISOR	5	
7	V051 STOREROOM SUPV/STORE SUPV	1	
8	K105 REPROD EQUIPMENT OPERATOR SUPV	1	
9	(21) X336 ESD CLAIMS ADJUDICATOR	20	GRADE 14
10	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	7	
11	K079 MICRO-PHOTOGRAPHER SUPERVISOR	1	
12	K117 MEDICAL OR LEGAL SECRETARY	5	
13	(22) A012 ESD ACCOUNTING CLERK	2	GRADE 13
14	D114 DATA PROCESSING PROD SCHEDULER	2	
15	K153 SECRETARY II	25	
16	(23) K039 DOCUMENT EXAMINER II	29	GRADE 12
17	X330 ESD CLAIMS ADJUDICATOR TRAINEE	1	
18	K089 PERSONNEL ASSISTANT	1	
19	(24) K155 SECRETARY I	1	GRADE 11
20	(25) V029 INVENTORY CONTROL CLERK	2	GRADE 10
21	W023 RECORDS CENTER OPERATOR II	1	
22	K037 DOCUMENT EXAMINER I	1	
23	K006 DATA ENTRY SPECIALIST	1	
24	(26) K077 MICRO-PHOTOGRAPHER II	1	GRADE 09
25	K065 MAIL OFFICER	2	
26	(27) K015 OFFICE CLERK	1	GRADE 07
27	(28) G107 BLDG/EQUIP MAINT REPAIRMAN I	1	GRADE 06
28	(29) G171 CUSTODIAL WRKR I	<u>1</u>	GRADE 03
29	MAX NO. OF EMPLOYEES	798	

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32 SECTION 2. EXTRA HELP. There is hereby authorized, for the Employment  
 33 Security Department for the 1995-97 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.

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7 SECTION 3. APPROPRIATIONS - OPERATIONS. There is hereby appropriated,  
 8 to the Arkansas Employment Security Department, to be payable from cash funds  
 9 as defined by Arkansas Code 19-4-801 of the Arkansas Employment Security  
 10 Department, for personal services and operating expenses of the Arkansas  
 11 Employment Security Department for the biennial period ending June 30, 1997,  
 12 ~~the following:~~

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14 ITEM	FISCAL YEARS	
15 NO.	1995-96	1996-97
16 (01) REGULAR SALARIES	\$ 22,322,305	\$ 22,344,803
17 (02) EXTRA HELP	3,393,000	3,393,000
18 (03) PERSONAL SERV MATCHING	5,617,191	5,621,482
19 (04) OVERTIME	1	1
20 (05) MAINT. & GEN. OPERATION		
21 (A) OPER. EXPENSE	\$ 7,879,452	\$ 7,879,452
22 (B) CONF. & TRVL.	230,500	230,500
23 (C) PROF. FEES	900,000	900,000
24 (D) CAP. OUTLAY	3,418,991	2,241,100
25 (E) DATA PROC.	<u>450,000</u>	<u>400,000</u>
26 TOTAL MAINT. & GEN. OPER.	12,878,943	11,651,052
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) HOPE MIGRANT CONSTR/LAND ACQUIS	300,000	0
33 (12) FED. EMP. BENEFIT PAYMENTS	70,000,000	70,000,000
34 (13) U.I. BENEFITS - TAXABLE EMPLOYERS	210,000,000	210,000,000
35 (14) U.I. BENEFITS - REIMBURSABLE EMPLOYERS	<u>14,000,000</u>	<u>14,000,000</u>

1 TOTAL AMOUNT APPROPRIATED \$ 360,611,441 \$ 359,110,339

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3 SECTION 4. "REED ACT FUNDS". There is hereby appropriated out of funds  
4 made available to this State under Section 903 of the Social Security Act, as  
5 amended, the sum of \$1,000,000, or so much thereof as may be necessary, to be  
6 used, under the direction of the Employment Security Department, for the  
7 purpose of construction and improvement of buildings, rent/lease costs,  
8 acquisition of data processing equipment, acquisition of land and/or for the  
9 payment of salaries and related benefits of local office staff of the  
10 Employment Security Department for the biennial period ending June 30, 1997.

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

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18 SECTION 5. APPROPRIATIONS - ESD SPECIAL FUND. There is hereby  
19 appropriated, to the Arkansas Employment Security Department, to be payable  
20 from the Employment Security Special Fund for the use of the Arkansas  
21 Employment Security Department for the biennial period ending June 30, 1997,  
22 the following:

23 (A) For maintenance, repairs, equipment, furnishings, and upkeep of the  
24 Administration Building and all other agency-owned buildings, and maintenance  
25 of adjacent parking areas of the Arkansas Employment Security Department, the  
26 sum of . . . . . \$453,755.

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

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

31 (D) For payment of special improvement district taxes, the sum of  
32 . . . . . \$1,000.

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34 SECTION 6. APPROPRIATIONS - ANNUAL ASSESSMENT. There is hereby  
35 appropriated, to the Arkansas Employment Security Department, to be payable

1 from the Employment Security Special Fund, for payment of the annual  
 2 ~~assessment to maintain voting member rights in the Interstate Conference of~~  
 3 Employment Security Agencies for the Arkansas Employment Security Department  
 4 for the biennial period ending June 30, 1997, the following:

6 ITEM	FISCAL YEARS	
7 NO.	1995-96	1996-97
8 (01) ANNUAL ASSESSMENT	<u>\$ 25,000</u>	<u>\$ 25,000</u>

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 10 SECTION 7. APPROPRIATIONS - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.  
 11 There is hereby appropriated, to the Arkansas Employment Security Department,  
 12 to be payable from the Employment Security Special Fund, for payment of  
 13 unemployment benefits and of expenses incurred in the administration of the  
 14 Employment Security Law when such expenses exceed funds available from other  
 15 ~~sources for services performed and/or costs incurred in the administration of~~  
 16 such law by the Arkansas Employment Security Department for the biennial  
 17 period ending June 30, 1997, the following:

19 ITEM	FISCAL YEARS	
20 NO.	1995-96	1996-97
21 (01) PAYMENT/EXPENSES	<u>\$ 4,000,000</u>	<u>\$ 4,000,000</u>

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 23 SECTION 8. APPROPRIATIONS - JOB TRAINING PARTNERSHIP ACT. There is  
 24 hereby appropriated, to the Arkansas Employment Security Department, to be  
 25 payable from the federal funds as designated by the Chief Fiscal Officer of  
 26 ~~the State, for grant payments of the Job Training Partnership Act of the~~  
 27 Arkansas Employment Security Department for the biennial period ending June  
 28 30, 1997, the following:

30 ITEM	FISCAL YEARS	
31 NO.	1995-96	1996-97
32 (01) JOB TRAINING PARTNERSHIP 33 ACT GRANT PAYMENTS	<u>\$ 53,000,000</u>	<u>\$ 53,000,000</u>

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

1 Arkansas Employment Security Department, to be payable from the Employment  
 2 ~~Security Advance Interest Trust Fund, to allow transfer of funds from the~~  
 3 Employment Security Advance Interest Trust Fund to the Unemployment Insurance  
 4 Trust Fund, for payment of unemployment insurance benefits, and to pay  
 5 Unemployment Insurance Trust Fund loan interest, if needed, for the biennial  
 6 period ending June 30, 1997, the following:

8 ITEM	FISCAL YEARS	
9 NO.	1995-96	1996-97
10 (01) U.I. TRUST FUND TRANSFER	\$ 3,000,000	\$ 3,000,000
11 (02) LOAN INTEREST	<u>1</u>	<u>1</u>
12 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,000,001</u>	<u>\$ 3,000,001</u>

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

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26 SECTION 11. TRANSFER OF APPROPRIATION. Subject to such rules and  
 27 regulations as may be implemented by the Chief Fiscal Officer of the State and  
 28 after having sought the prior review by the Arkansas Legislative Council, the  
 29 Director of the Employment Security Department is hereby authorized to make  
 30 transfers from any appropriation made by this Act to any other appropriation  
 31 made by this Act with the exception of the "Reed Act Funds" appropriations set  
 32 forth in Section 4 of this Act, and of the appropriation made for Regular  
 33 Salaries or Maintenance and General Operation. Such transfers may be made  
 34 whenever it appears, by projecting the expenditures of any of the  
 35 appropriations in this Act, that there will be a deficiency of appropriation

1 in one item and that there will be a corresponding excess of appropriation in  
2 another item or items which may be transferred. The transfer of appropriation  
3 shall be effected only on approval of the Chief Fiscal Officer of the State.  
4 Provided, however, that no transfer of appropriations may be authorized to  
5 increase the total amount appropriated for Regular Salaries, or Maintenance  
6 and General Operations, except as may be authorized elsewhere by law.

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8 SECTION 12. CARRY FORWARD. Any unexpended balance of appropriation  
9 made by this Act, with the exception of appropriation made for Regular  
10 Salaries and Maintenance and General Operation, which remains at the close of  
11 the fiscal year ending June 30, 1996, shall be transferred forward and made  
12 available for the same purpose for the fiscal year ending June 30, 1997.

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14 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
15 authorized by this Act shall be limited to the appropriation for such agency  
16 and funds made available by law for the support of such appropriations; and  
17 the restrictions of the State Purchasing Law, the General Accounting and  
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
19 Procedures and Restrictions Act, or their successors, and other fiscal control  
20 laws of this State, where applicable, and regulations promulgated by the  
21 Department of Finance and Administration, as authorized by law, shall be  
22 strictly complied with in disbursement of said funds.

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24 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General  
25 Assembly that any funds disbursed under the authority of the appropriations  
26 contained in this Act shall be in compliance with the stated reasons for which  
27 this Act was adopted, as evidenced by the Agency Requests, Executive  
28 Recommendations and Legislative Recommendations contained in the budget  
29 manuals prepared by the Department of Finance and Administration, letters, or  
30 summarized oral testimony in the official minutes of the Arkansas Legislative  
31 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

SECTION 17. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 18. EMERGENCY CLAUSE. It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995.

APPROVED: 2-6-95

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