

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

**Act 2183 of the Regular Session**

*As Engrossed: H3/15/05 H3/18/05 S4/8/05*

**A Bill**

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

HOUSE BILL 1510

4  
5 By: Joint Budget Committee  
6  
7

**For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
11 EMPLOYMENT SECURITY DEPARTMENT FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 2007; AND FOR OTHER  
13 PURPOSES.  
14

**Subtitle**

15  
16 AN ACT FOR THE ARKANSAS EMPLOYMENT  
17 SECURITY DEPARTMENT APPROPRIATION FOR  
18 THE 2005-2007 BIENNIUM.  
19  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas  
25 Employment Security Department for the 2005-2007 biennium, the following  
26 maximum number of regular employees whose salaries shall be governed by the  
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
29 Provided, however, that any position to which a specific maximum annual  
30 salary is set out herein in dollars, shall be exempt from the provisions of  
31 said Uniform Classification and Compensation Act. All persons occupying  
32 positions authorized herein are hereby governed by the provisions of the  
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
34 or its successor.  
35



Item	Class	No.	Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
						2005-2006	2006-2007
5	(1)	9926		ESD DIRECTOR	1	\$119,887	\$122,595
6	(2)	9624		ESD DEPUTY DIRECTOR	1	\$99,420	\$101,821
7	(3)	9928		CHAIRMAN OF THE BOARD OF REVIEW	1	\$90,081	\$92,342
8	(4)	7027		ESD CHIEF COUNSEL/OFC LEGAL SVCS	1	\$90,081	\$92,342
9	(5)	7026		ESD ASST DIR, INFO AND TECHNOLOGY	1	\$90,081	\$92,342
10	(6)	7025		ESD ASST DIR, UNEMPLOYMENT INS	1	\$90,081	\$92,342
11	(7)	7024		ESD ASST DIR, FINANCIAL MANAGEMENT	1	\$90,081	\$92,342
12	(8)	7023		ESD ASST DIR, EMPLOYMENT ASSISTANCE	1	\$90,081	\$92,342
13	(9)	9275		FEDERAL GRANTS/RESOURCE ADMIN.	1	\$82,792	\$84,915
14	(10)	827Z		DP CENTER MANAGER	1		GRADE 26
15	(11)	922Z		ESD DEP ASST DIR EMP. ASSISTANCE	1		GRADE 26
16	(12)	924Z		ESD DEP ASST DIR UNEMP. INSURANCE	1		GRADE 26
17	(13)	053Z		ESD DIR INTERNAL AUDIT & SECURITY	1		GRADE 26
18	(14)	R170		ATTORNEY SPECIALIST	2		GRADE 25
19	(15)	R036		ATTORNEY	7		GRADE 24
20	(16)	D130		INFORMATION SYSTEMS ADMINISTRATOR	1		GRADE 24
21	(17)	710Z		ESD AREA OPERATION CHIEF	4		GRADE 24
22	(18)	711Z		ESD DIVISION CHIEF	7		GRADE 24
23	(19)	716Z		ESD ASSISTANT ADMINISTRATOR	1		GRADE 24
24	(20)	717Z		ESD PERSONNEL MANAGER	1		GRADE 23
25	(21)	D046		SYSTEMS APPLICATIONS SUPERVISOR	5		GRADE 23
26	(22)	D066		SYSTEMS COORDINATION ANALYST II	1		GRADE 22
27	(23)	D124		LEAD PROGRAMMER/ANALYST	12		GRADE 22
28	(24)	E051		TRAINING PROJECT MANAGER	1		GRADE 22
29	(25)	D038		SYSTEMS PROGRAMMER	2		GRADE 22
30	(26)	744Z		ESD EQUAL OPPORTUNITY MANAGER	1		GRADE 22
31	(27)	795Z		ESD MANAGER II	16		GRADE 22
32	(28)	799Z		ESD MANAGER I	10		GRADE 21
33	(29)	A008		ACCOUNTING SUPERVISOR II	6		GRADE 21
34	(30)	D036		SR PROGRAMMER/ANALYST	8		GRADE 21
35	(31)	D010		DATA BASE ANALYST	1		GRADE 21
36	(32)	R111		ESD PROGRAM OPERATIONS MANAGER	20		GRADE 21

1	(33)	X324	CLAIMS HEARING OFFICER II	12	GRADE 21
2	(34)	R266	MANAGEMENT PROJECT ANALYST II	26	GRADE 20
3	(35)	R144	PROGRAM COORDINATOR	1	GRADE 20
4	(36)	A036	FIELD AUDITOR SUPERVISOR	5	GRADE 20
5	(37)	A038	FINANCIAL ANALYST	1	GRADE 20
6	(38)	C018	ESD COMMUNICATIONS & MEDIA OFFICER	1	GRADE 20
7	(39)	A056	INTERNAL AUDITOR	2	GRADE 20
8	(40)	A154	ESD FIELD TAX REP III	5	GRADE 19
9	(41)	R150	RESEARCH PROJECT ANALYST	17	GRADE 19
10	(42)	R168	GRANTS COORDINATOR II	1	GRADE 19
11	(43)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
12	(44)	R048	BUDGET SPECIALIST	4	GRADE 19
13	(45)	R059	ESD APPEALS REFEREE	3	GRADE 19
14	(46)	R086	CIVIL RIGHTS COORDINATOR	1	GRADE 19
15	(47)	E074	TRAINING REPRESENTATIVE	2	GRADE 19
16	(48)	R344	ESD SATELLITE OFFICE SUPERVISOR	5	GRADE 19
17	(49)	Y031	ESD PRINT SHOP SUPERVISOR	1	GRADE 19
18	(50)	X346	ESD UI CLAIM TECHNICIAN	38	GRADE 18
19	(51)	X355	ESD U I INVESTIGATOR II	11	GRADE 18
20	(52)	R264	MANAGEMENT PROJECT ANALYST I	6	GRADE 18
21	(53)	X310	ESD TECHNICIAN II	4	GRADE 18
22	(54)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
23	(55)	R327	ESD RESEARCH & ANALYSIS ANALYST	2	GRADE 18
24	(56)	R237	ESD PROGRAM SUPERVISOR	45	GRADE 18
25	(57)	G028	BLDG PLANT MAINTENANCE SUPV II	1	GRADE 18
26	(58)	D034	PROGRAMMER ANALYST	1	GRADE 18
27	(59)	M170	QUALITY CONTROL REVIEWER	1	GRADE 18
28	(60)	R169	ESD EMPLOYMENT SERVICES REP	1	GRADE 18
29	(61)	A111	ACCOUNTANT	14	GRADE 18
30	(62)	A070	ESD FIELD TAX REP II	27	GRADE 18
31	(63)	A055	ESD FIELD TAX REP I	1	GRADE 17
32	(64)	R010	ADMINISTRATIVE ASSISTANT II	8	GRADE 17
33	(65)	R190	PERSONNEL OFFICER II	2	GRADE 17
34	(66)	K040	ESD UNIT SUPERVISOR II	7	GRADE 17
35	(67)	R257	ESD INTERVIEWER II	231	GRADE 17
36	(68)	K044	ESD UNIT SUPERVISOR I	3	GRADE 16

1	(69)	A024	COLLECTION OFFICER	1	GRADE 16
2	(70)	A031	DELINQUENT TAX COLLECTOR	2	GRADE 15
3	(71)	A108	ACCOUNTING TECHNICIAN II	16	GRADE 15
4	(72)	A063	PAYROLL OFFICER	1	GRADE 15
5	(73)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	3	GRADE 15
6	(74)	R009	ADMINISTRATIVE ASSISTANT I	2	GRADE 15
7	(75)	V051	STOREROOM SUPV/STORE SUPV	1	GRADE 15
8	(76)	X336	ESD CLAIMS ADJUDICATOR	19	GRADE 14
9	(77)	K117	MEDICAL OR LEGAL SECRETARY	4	GRADE 14
10	(78)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	3	GRADE 14
11	(79)	K153	SECRETARY II	12	GRADE 13
12	(80)	A012	ESD ACCOUNTING CLERK	1	GRADE 13
13	(81)	K039	DOCUMENT EXAMINER II	15	GRADE 12
14	(82)	X330	ESD CLAIMS ADJUDICATOR TRAINEE	1	GRADE 12
15	(83)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
16	(84)	K065	MAIL OFFICER	2	GRADE 09
17	(85)	G035	CUSTODIAL WRKR II	1	GRADE 04
18	(86)	G171	CUSTODIAL WRKR I	<u>1</u>	GRADE 03
19			MAX. NO. OF EMPLOYEES	697	

20

21 *SECTION 2. APPROPRIATION - PERSONAL SERVICES. There is hereby*  
 22 *appropriated, to the Arkansas Employment Security Department, to be payable*  
 23 *from the Arkansas Employment Security Department Trust Fund, for personal*  
 24 *services of the Arkansas Employment Security Department for the biennial*  
 25 *period ending June 30, 2007, the following:*

26

27	ITEM	FISCAL YEARS	
28	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
29	(01) REGULAR SALARIES	\$ 23,890,882	\$ 24,599,115
30	(02) EXTRA HELP	4,093,000	4,093,000
31	(03) PERSONAL SERVICES MATCHING	7,619,120	7,755,648
32	(04) OVERTIME	<u>7,152</u>	<u>7,152</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$ 35,610,154</u>	<u>\$ 36,454,915</u>

34

35 *SECTION 3. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to*  
 36 *the Arkansas Employment Security Department, to be payable from cash funds as*

1 defined by Arkansas Code 19-4-801 of the Arkansas Employment Security  
 2 Department, for operating expenses of the Arkansas Employment Security  
 3 Department for the biennial period ending June 30, 2007, the following:

4

5 ITEM	FISCAL YEARS	
6 NO.	2005-2006	2006-2007
7 (01) MAINT. & GEN. OPERATION		
8 (A) OPER. EXPENSE	\$ 23,088,996	\$ 22,632,178
9 (B) CONF. & TRAVEL	608,130	608,130
10 (C) PROF. FEES	865,104	865,104
11 (D) CAP. OUTLAY	0	0
12 (E) DATA PROC.	8,420,237	8,530,516
13 (02) DISASTER RELIEF PAYMENTS	2,000,000	2,000,000
14 (03) FEDERAL EMPLOYEES BENEFIT PAYMENTS	100,000,000	100,000,000
15 (04) U I BENEFITS - REIMBURSABLE EMPLOYERS	20,000,000	20,000,000
16 (05) U I BENEFITS - TAXABLE EMPLOYERS	500,000,000	500,000,000
17 (06) TRAINING ALLOWANCES	5,000,000	5,000,000
18 (07) PAY TO PART CONTRACTORS	10,000,000	10,000,000
19 (08) UI LOAN REPAYMENT	1	1
20 (09) ESD SPECIAL FUND	<u>100,000</u>	<u>100,000</u>
21 TOTAL AMOUNT APPROPRIATED	<u>\$ 670,082,468</u>	<u>\$ 669,735,929</u>

22

23 SECTION 4. APPROPRIATION - ANNUAL ASSESSMENTS. There is hereby  
 24 appropriated, to the Arkansas Employment Security Department, to be payable  
 25 from the Employment Security Special Fund, for payment of the annual  
 26 assessment to maintain voting member rights in the National Association of  
 27 Workforce Agencies by the Arkansas Employment Security Department for the  
 28 biennial period ending June 30, 2007, the following:

29

30 ITEM	FISCAL YEARS	
31 NO.	2005-2006	2006-2007
32 (01) ANNUAL ASSESSMENT	<u>\$ 25,000</u>	<u>\$ 25,000</u>

33

34 SECTION 5. APPROPRIATION - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.  
 35 There is hereby appropriated, to the Arkansas Employment Security Department,  
 36 to be payable from the Employment Security Special Fund, for payment of

1 unemployment benefits and expenses incurred in the administration of the  
 2 Employment Security Law when such expenses exceed funds available from other  
 3 sources by the Arkansas Employment Security Department for the biennial  
 4 period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
	2005-2006	2006-2007
(01) PAYMENT/EXPENSES	\$ 12,048,033	\$ 10,082,630

10 SECTION 6. APPROPRIATION - WORKFORCE INVESTMENT ACT. There is hereby  
 11 appropriated, to the Arkansas Employment Security Department, to be payable  
 12 from the federal funds as designated by the Chief Fiscal Officer of the  
 13 State, for grant payments of the Workforce Investment Act of the Arkansas  
 14 Employment Security Department for the biennial period ending June 30, 2007,  
 15 the following:

ITEM	FISCAL YEARS	
	2005-2006	2006-2007
(01) WORKFORCE INVESTMENT ACT PAYMENTS	\$ 58,000,000	\$ 58,000,000

21 SECTION 7. APPROPRIATION - UI TRUST FUND INTEREST/UNEMPLOYMENT INSURANCE.  
 22 There is hereby appropriated, to the Arkansas Employment Security Department,  
 23 to be payable from the Employment Security Advance Interest Trust Fund, to  
 24 allow transfer of funds from the Employment Security Advance Interest Trust  
 25 Fund to the Unemployment Insurance Trust Fund, for payment of unemployment  
 26 insurance benefits, and to pay Unemployment Insurance Trust Fund loan  
 27 interest, if needed, of the Arkansas Employment Security Department for the  
 28 biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
	2005-2006	2006-2007
(01) U I TRUST FUND INTEREST	\$ 3,000,000	\$ 3,000,000
(02) LOAN INTEREST	1	1
TOTAL AMOUNT APPROPRIATED	\$ 3,000,001	\$ 3,000,001

36 SECTION 8. REGULAR SALARIES - NEW HIRE REGISTRY. There is hereby

1 established for the Arkansas Employment Security Department - New Hire  
 2 Registry for the 2005-2007 biennium, the following maximum number of regular  
 3 employees whose salaries shall be governed by the provisions of the Uniform  
 4 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or  
 5 its successor, and all laws amendatory thereto. Provided, however, that any  
 6 position to which a specific maximum annual salary is set out herein in  
 7 dollars, shall be exempt from the provisions of said Uniform Classification  
 8 and Compensation Act. All persons occupying positions authorized herein are  
 9 hereby governed by the provisions of the Regular Salaries Procedures and  
 10 Restrictions Act (Arkansas Code §21-5-101), or its successor.

11

			Maximum Annual		
			Maximum	Salary Rate	
Item Class			No. of	Fiscal Years	
No.	Code	Title	Employees	2005-2006	2006-2007
(1)	8037	ESD PROGRAM ADMINISTRATOR	<u>1</u>	\$77,746	\$79,773
		MAX. NO. OF EMPLOYEES	1		

18

19 SECTION 9. APPROPRIATION - NEW HIRE REGISTRY - STATE. There is hereby  
 20 appropriated, to the Arkansas Employment Security Department, to be payable  
 21 from the Miscellaneous Agencies Fund Account, for personal services and  
 22 operating expenses of the Arkansas Employment Security Department - New Hire  
 23 Registry - State for the biennial period ending June 30, 2007, the following:

24

ITEM		FISCAL YEARS	
NO.		2005-2006	2006-2007
(01)	REGULAR SALARIES	\$ 25,656	\$ 26,325
(02)	PERSONAL SERVICES MATCHING	6,214	6,343
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	149,057	149,081
(B)	CONF. & TRAVEL	0	0
(C)	PROF. FEES	0	0
(D)	CAP. OUTLAY	0	0
(E)	DATA PROC.	<u>0</u>	<u>0</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 180,927</u>	<u>\$ 181,749</u>

36

SECTION 10. APPROPRIATION - NEW HIRE REGISTRY - FEDERAL. There is hereby appropriated, to the Arkansas Employment Security Department, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Employment Security Department - New Hire Registry - Federal for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 52,090	\$ 53,448
(02) PERSONAL SERVICES MATCHING	12,623	12,886
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	286,499	286,475
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 351,212</u>	<u>\$ 352,809</u>

SECTION 11. APPROPRIATION - REED ACT. There is hereby appropriated, to the Arkansas Employment Security Department, to be payable from cash funds as defined by Arkansas Code 19-4-801, for construction, improvement of buildings, rent and lease costs, acquisition of data processing equipment, acquisition of land, payment of salaries and related benefits, maintenance and general operation and for the payment of unemployment insurance benefits, or as prescribed by the Social Security Act of the Arkansas Employment Security Department for the biennial period ending June 30, 2007, the sum of .....\$77,000,000.

SECTION 12. APPROPRIATION - ADMINISTRATION BUILDING UPKEEP. There is hereby appropriated, to the Arkansas Employment Security Department, to be payable from the Employment Security Special Fund, for maintenance, repairs, equipment, furnishings, upkeep of the Administration Building and all other agency owned buildings, and maintenance of adjacent parking areas of the Arkansas Employment Security Department for the biennial period ending June 30, 2007, the sum of .....\$455,000.

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*SECTION 13. APPROPRIATION - BUILDING AND LAND ACQUISITION. There is hereby appropriated, to the Arkansas Employment Security Department, to be payable from the Employment Security Special Fund, for acquisition of buildings, acquisition of land, construction of buildings, and modification of existing buildings outside of the Pulaski County area of the Arkansas Employment Security Department for the biennial period ending June 30, 2007, the sum of.....\$300,000.*

*SECTION 14. APPROPRIATION - RENT OF BUILDINGS. There is hereby appropriated, to the Arkansas Employment Security Department, to be payable from the Employment Security Special Fund, for rent of buildings by the Arkansas Employment Security Department for the biennial period ending June 30, 2007, the sum of.....\$96,708.*

*SECTION 15. APPROPRIATION - SPECIAL IMPROVEMENT DISTRICT TAXES. There is hereby appropriated, to the Arkansas Employment Security Department, to be payable from the Employment Security Special Fund, for payment of special improvement district taxes of the Arkansas Employment Security Department for the biennial period ending June 30, 2007, the sum of.....\$1,000.*

*SECTION 16. APPROPRIATION - COMMUNITY INVESTMENT INITIATIVE. There is hereby appropriated to the Arkansas Employment Security Department to be payable from the Temporary Assistance to Needy Families Block Grant funds for contracts with private or community organizations to offer services as authorized by the Community Investment Initiative Arkansas Code 20-76-446 for the biennial period ending June 30, 2007, the following;*

<i>ITEM</i>	<i>FISCAL YEARS</i>	
<u><i>NO.</i></u>	<i>2005-2006</i>	<i>2006-2007</i>
<i>(01) COMMUNITY INVESTMENT INITIATIVE SERVICES</i>	<u><i>\$ 2,000,000</i></u>	<u><i>\$ 3,000,000</i></u>

*SECTION 17. 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 for the fiscal years 2005-*

1 2006 and 2006-2007 (combined) shall be subject to these restrictions in their  
2 use for the specified statutory purposes:

3 (1) Improving outcomes for youth (at least \$1,000,000),

4 (2) parenting and family functioning (at least \$500,000),

5 (3) marriage and relationship skills (\$500,000),

6 (4) fatherhood programs (at least \$500,000),

7 (5) family and employment services for ex-offenders (at least \$500,000),

8 and

9 (6) services to child-only TEA cases (at least \$500,000)

10 The provisions of this section shall be in effect only from July 1, 2005  
11 through June 30, 2007.

12  
13 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

15 SUSPENSION OR REDUCTION OF FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT  
16 INITIATIVE. Spending for the Community Investment Initiative can be

17 suspended or reduced if the Director of the Employment Security Department  
18 and the Transitional Employment Board certify that

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

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

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

28  
29 Certification of these conditions shall be made to the Governor and the Chief  
30 Fiscal Officer of the State and notification shall be made to the Legislative  
31 Council and the Senate and House Public Health and Welfare Committees.

32  
33 If spending on the Community Investment Initiative is reduced, these  
34 reductions shall be assessed proportionately to the funds available for each  
35 of the six statutory purposes of the Community Investment Initiative.

36 The provisions of this section shall be in effect only from July 1, 2005

1 through June 30, 2007.

2  
3 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
5 FORWARD - NEW HIRE REGISTRY. Any balance in the appropriation and funds made  
6 available by this Act for the New Hire Registry which remain on June 30, ~~2004~~  
7 2006, may be carried forward into the next fiscal year, to be used for the  
8 same purpose. The provisions of this section shall be in effect only from  
9 July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

10  
11 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
13 HELP. There is hereby authorized, for the Employment Security Department for  
14 the ~~2003-2005~~ 2005-2007 biennium, the following maximum number of part-time  
15 or temporary employees, to be known as "Extra Help", payable from funds  
16 appropriated herein for such purposes: four hundred (400) temporary or part-  
17 time employees, when needed, at rates of pay not to exceed those provided in  
18 the Uniform Classification and Compensation Act, or its successor, for the  
19 appropriate classification. Any of these positions utilized in a manner  
20 which are funded by federal sources are specifically exempt from limitation  
21 of hours, either by Act or Regulation. The provisions of this section shall  
22 be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

23  
24 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
26 FORWARD. Any unexpended balance of appropriation made by this Act, which  
27 remains at the close of the fiscal year ending June 30, ~~2004~~ 2006, shall be  
28 transferred forward and made available for any purpose other than Regular  
29 Salaries and Maintenance and General Operations for the fiscal year ending  
30 June 30, ~~2005~~ 2007. The provisions of this section shall be in effect only  
31 from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

32  
33 SECTION 22. APPROPRIATION - ARKANSAS TRANSITIONAL EMPLOYMENT PROGRAM  
34 OPERATIONS. *There is hereby appropriated, to the Arkansas Employment*  
35 *Security Department, to be payable from cash funds as defined by Arkansas*  
36 *Code 19-4-801 of the Arkansas Employment Security Department, for personal*

1 services and operating expenses of the Arkansas Employment Security  
 2 Department for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007
(01) ARKANSAS TRANSITIONAL EMPLOYMENT PROGRAM		
OPERATION	<u>\$100,000,000</u>	<u>\$100,000,000</u>

9 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. "REED ACT  
 11 FUNDS". ~~Funds made available to the State under Section 903 of the Social  
 12 Security Act may be used, under the direction of the Employment Security  
 13 Department with respect to federal fiscal years 2000, 2001, 2002 and 2003  
 14 solely for the administration of the unemployment compensation program, for  
 15 the purpose of construction, and improvement of buildings, rent/lease costs,  
 16 acquisition of land and/or for the payment of salaries, related benefits and  
 17 maintenance and operation of central and local office staff, or as otherwise  
 18 prescribed in Section 903 of the Social Security Act, as amended.~~

19 Funds received by the State ~~on March 13, 2002~~ may be used as specified in  
 20 903(d) of the Social Security Act, for the purpose of construction, and  
 21 improvement of buildings, rent/lease costs, acquisition of land ~~and/or for~~  
 22 the payment of salaries, and related benefits and maintenance and operation  
 23 of central and local office staff, maintenance and operation of central and  
 24 local offices, payment of unemployment insurance benefits, or as otherwise  
 25 prescribed in Section 903 of the Social Security Act, as amended.

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

31 The provisions of this section shall be in effect only from July 1, 2003  
 32 2005 through June 30, ~~2005~~ 2007.

34 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 36 ADDITIONAL POSITIONS. The Director of the Employment Security Department,

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

11 If the agency requests continuation of a "Growth Pool" position(s) as  
12 established herein during the next biennium, the position(s) must be  
13 requested as a new position(s) in the agencies biennial budget request.  
14 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005  
15 through June 30, ~~2005~~ 2007.

16  
17 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
19 FORWARD. Any balance in the General Revenue funds made available by this Act  
20 as matching funds for the Welfare-to-Work Initiative which remains on June  
21 30, ~~2004~~ 2006, may be carried forward into the next fiscal year, to be used  
22 for the same purpose. The provisions of this section shall be in effect only  
23 from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

24  
25 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
26 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF  
27 APPROPRIATION. Subject to such rules and regulations as may be implemented  
28 by the Chief Fiscal Officer of the State and after having sought the prior  
29 review by the Arkansas Legislative Council, the Director of the Employment  
30 Security Department is hereby authorized to make transfers from any  
31 appropriation made by this Act to any other appropriation made by this Act  
32 with the exception of the "Reed Act Funds" appropriations set forth in  
33 Section 11 of this Act, and of the appropriation made for Regular Salaries or  
34 Maintenance and General Operation. Such transfers may be made whenever it  
35 appears, by projecting the expenditures of any of the appropriations in this  
36 Act, that there will be a deficiency of appropriation in one item and that

1 there will be a corresponding excess of appropriation in another item or  
2 items which may be transferred. The transfer of appropriation shall be  
3 effected only on approval of the Chief Fiscal Officer of the State. Provided,  
4 however, that no transfer of appropriations may be authorized to increase the  
5 total amount appropriated for Regular Salaries, or Maintenance and General  
6 Operations, except as may be authorized elsewhere by law. The provisions of  
7 this section shall be in effect only from July 1, 2005 through June 30, 2007.

8  
9 SECTION 27. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
10 by this act shall be limited to the appropriation for such agency and funds  
11 made available by law for the support of such appropriations; and the  
12 restrictions of the State Procurement Law, the General Accounting and  
13 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
14 Procedures and Restrictions Act, or their successors, and other fiscal  
15 control laws of this State, where applicable, and regulations promulgated by  
16 the Department of Finance and Administration, as authorized by law, shall be  
17 strictly complied with in disbursement of said funds.

18  
19 SECTION 28. LEGISLATIVE INTENT. It is the intent of the General Assembly  
20 that any funds disbursed under the authority of the appropriations contained  
21 in this act shall be in compliance with the stated reasons for which this act  
22 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
23 and Legislative Recommendations contained in the budget manuals prepared by  
24 the Department of Finance and Administration, letters, or summarized oral  
25 testimony in the official minutes of the Arkansas Legislative Council or  
26 Joint Budget Committee which relate to its passage and adoption.

27  
28 SECTION 29. EMERGENCY CLAUSE. It is found and determined by the General  
29 Assembly, that the Constitution of the State of Arkansas prohibits the  
30 appropriation of funds for more than a two (2) year period; that the  
31 effectiveness of this Act on July 1, 2005 is essential to the operation of  
32 the agency for which the appropriations in this Act are provided, and that in  
33 the event of an extension of the Regular Session, the delay in the effective  
34 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
35 proper administration and provision of essential governmental programs.  
36 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and  
2 safety shall be in full force and effect from and after July 1, 2005.

3  
4 */s/ Joint Budget Committee*

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7 *APPROVED: 4/13/2005*  
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