

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

5

6

7

A Bill

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."

12

13

Subtitle

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

17

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

19

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
23 governed by the provisions of the Uniform Classification and Compensation Act
24 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
25 thereto. Provided, however, that any position to which a specific maximum
26 annual salary is set out herein in dollars, shall be exempt from the
27 provisions of said Uniform Classification and Compensation Act. All persons
28 occupying positions authorized herein are hereby governed by the provisions
29 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
30 101), or its successor.

31

32

33

34

35

Item	Class	Title	Maximum No. of Employees	Maximum Annual	
				Salary Rate	Fiscal Years
	No.	Code		1995-96	1996-97

1	(1) 9926 ESD DIRECTOR	1	\$ 88,797	\$
2	91,016			
3	(2) 9624 ESD DEPUTY DIRECTOR	1	\$ 73,295	\$
4	75,127			
5	(3) 9928 CHAIRMAN OF THE BOARD OF REVIEW	1	\$ 66,268	\$
6	67,924			
7	(4) 7023 ESD ADMR OFC FIELD OPERATIONS	1	\$ 66,268	\$
8	67,924			
9	(5) 7024 ESD ADMR OFC FIN/MGMT & ADMIN SVCS	1	\$ 66,268	\$
10	67,924			
11	(6) 7027 ESD CHIEF COUNSEL/OFC LEGAL SVCS	1	\$ 66,268	\$
12	67,924			
13	(7) 7026 ESD ADMR OFC EMPLOY & TRAIN SVCS	1	\$ 66,268	\$
14	67,924			
15	(8) 7025 ESD ADMR OFC UNEMPLOYMENT INS	1	\$ 66,268	\$
16	67,924			
17	(9) 053Z ESD DIR INTERNAL AUDIT & SECURITY	1		GRADE 26
18	827Z DATA PROCESSING CENTER MANAGER	1		
19	(10) R170 ATTORNEY SPECIALIST	1		GRADE 25
20	(11) 711Z ESD DIVISION CHIEF	9		GRADE 24
21	710Z ESD AREA OPERATION CHIEF	4		
22	R036 ATTORNEY	7		
23	D064 SR SYSTEMS PROGRAMMER	1		
24	716Z ESD ASSISTANT ADMINISTRATOR	1		
25	(12) D046 SYSTEMS APPLICATIONS SUPERVISOR	5		GRADE 23
26	(13) D038 SYSTEMS PROGRAMMER	3		GRADE 22
27	795Z ESD MANAGER II	17		
28	744Z ESD EQUAL OPPORTUNITY MANAGER	1		
29	D106 DATA PROCESSING OPERATIONS MANAGER	1		
30	717Z ESD PERSONNEL MANAGER	1		
31	D124 LEAD PROGRAMMER/ANALYST	3		
32	(14) A104 TAX AUDITOR SUPERVISOR	1		GRADE 21
33	D036 SR PROGRAMMER/ANALYST	23		
34	799Z ESD MANAGER I	10		
35	R111 ESD PROGRAM OPERATIONS MANAGER	16		

1	A008 ACCOUNTING SUPERVISOR II	6	
2	D010 DATA BASE ANALYST	2	
3	V080 MGR PURCHASING & PROPERTY MGT	1	
4	(15) A056 INTERNAL AUDITOR	3	GRADE 20
5	C018 ESD COMMUNICATIONS & MEDIA OFFICER	1	
6	R426 ESD RESEARCH & ANALYSIS MGR	2	
7	A036 FIELD AUDITOR SUPERVISOR	5	
8	R266 MANAGEMENT PROJECT ANALYST II	7	
9	Y116 MAINTENANCE SYSTEMS SUPV	1	
10	A006 ACCOUNTING SUPERVISOR I	1	
11	(16) A154 ESD FIELD TAX REP III	7	GRADE 19
12	R059 ESD APPEALS REFEREE	15	
13	R030 ASST PERSONNEL MANAGER	1	
14	R344 ESD SATELLITE OFFICE SUPERVISOR	6	
15	R086 CIVIL RIGHTS COORDINATOR	1	
16	R048 BUDGET SPECIALIST	4	
17	R168 GRANTS COORDINATOR II	1	
18	E074 TRAINING REPRESENTATIVE	3	
19	Y031 ESD PRINT SHOP SUPERVISOR	1	
20	(17) R264 MANAGEMENT PROJECT ANALYST I	24	GRADE 18
21	X355 ESD U I INVESTIGATOR II	13	
22	A070 ESD FIELD TAX REP II	28	
23	R169 ESD EMPLOYMENT SERVICES REP	4	
24	X310 ESD TECHNICIAN II	12	
25	D034 PROGRAMMER ANALYST	2	
26	A111 ACCOUNTANT	14	
27	R237 ESD PROGRAM SUPERVISOR	54	
28	R327 ESD RESEARCH & ANALYSIS ANALYST	20	
29	V040 PURCHASE AGENT II/PURCHASE AGENT	1	
30	W030 RECORDS MANAGEMENT ANALYST II	1	
31	G028 BUILDING PLANT MAINTENANCE SUPV II	1	
32	(18) R162 STATISTICIAN/STATISTICIAN II	1	GRADE 17
33	R257 ESD INTERVIEWER II	274	
34	K040 ESD UNIT SUPERVISOR II	8	
35	X312 ESD TECHNICIAN I	1	

1	X353 ESD U I INVESTIGATOR I	1	
2	D018 DATA PROCESSING SUPERVISOR I	3	
3	R010 ADMINISTRATIVE ASSISTANT II	8	
4	Y055 JOURNEYMAN ELECTRICIAN	1	
5	A055 ESD FIELD TAX REP I	3	
6	D061 TELEPROCESSING MONITOR	1	
7	R190 PERSONNEL OFFICER II	1	
8	(19) K044 ESD UNIT SUPERVISOR I	8	GRADE 16
9	(20) D005 COMPUTER OPERATOR II	3	GRADE 15
10	R259 ESD INTERVIEWER I	11	
11	A108 ACCOUNTING TECHNICIAN II	3	
12	R009 ADMINISTRATIVE ASSISTANT I	1	
13	V039 PURCHASE AGENT I/ASST PURCHASE AGEN	1	
14	A063 PAYROLL OFFICER	1	
15	K011 ADMINISTRATIVE OFFICE SUPERVISOR	5	
16	V051 STOREROOM SUPV/STORE SUPV	1	
17	K105 REPROD EQUIPMENT OPERATOR SUPV	1	
18	(21) X336 ESD CLAIMS ADJUDICATOR	20	GRADE 14
19	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	7	
20	K079 MICRO-PHOTOGRAPHER SUPERVISOR	1	
21	K117 MEDICAL OR LEGAL SECRETARY	5	
22	(22) A012 ESD ACCOUNTING CLERK	2	GRADE 13
23	D114 DATA PROCESSING PROD SCHEDULER	2	
24	K153 SECRETARY II	25	
25	(23) K039 DOCUMENT EXAMINER II	29	GRADE 12
26	X330 ESD CLAIMS ADJUDICATOR TRAINEE	1	
27	K089 PERSONNEL ASSISTANT	1	
28	(24) K155 SECRETARY I	1	GRADE 11
29	(25) V029 INVENTORY CONTROL CLERK	2	GRADE 10
30	W023 RECORDS CENTER OPERATOR II	1	
31	K037 DOCUMENT EXAMINER I	1	
32	K006 DATA ENTRY SPECIALIST	1	
33	(26) K077 MICRO-PHOTOGRAPHER II	1	GRADE 09
34	K065 MAIL OFFICER	2	
35	(27) K015 OFFICE CLERK	1	GRADE 07

1	(28) G107 BLDG/EQUIP MAINT REPAIRMAN I	1	GRADE 06
2	(29) G171 CUSTODIAL WRKR I	<u>1</u>	GRADE 03
3	MAX NO. OF EMPLOYEES	798	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Employment Security Department for the 1995-97 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: four hundred (400) 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.

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

ITEM	FISCAL YEARS	
NO.	1995-96	1996-97
(01) REGULAR SALARIES	\$ 22,322,305	\$ 22,344,803
(02) EXTRA HELP	3,393,000	3,393,000
(03) PERSONAL SERV MATCHING	5,617,191	5,621,482
(04) OVERTIME		1
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 7,879,452	\$ 7,879,452
(B) CONF. & TRVL.	230,500	230,500

1	(C) PROF. FEES	900,000	900,000
2	(D) CAP. OUTLAY	3,418,991	2,241,100
3	(E) DATA PROC.	<u>450,000</u>	<u>400,000</u>
4	TOTAL MAINT. & GEN. OPER.		12,878,943
5	11,651,052		
6	(06) DISASTER RELIEF PAYMENTS		2,000,000
7	2,000,000		
8	(07) TRAINING ALLOWANCES		10,000,000
9	10,000,000		
10	(08) PAY TO PARTICIPANT CONTRACTORS		10,000,000
11	10,000,000		
12	(09) UI LOAN REPAYMENT		1
13	1		
14	(10) ESD SPECIAL FUND		100,000
15	100,000		
16	(11) HOPE MIGRANT CONSTR/LAND ACQUIS		300,000
17	0		
18	(12) FED. EMP. BENEFIT PAYMENTS		70,000,000
19	70,000,000		
20	(13) U.I. BENEFITS - TAXABLE EMPLOYERS		210,000,000
21	210,000,000		
22	(14) U.I. BENEFITS - REIMBURSABLE EMPLOYERS		<u>14,000,000</u>
23	<u>14,000,000</u>		
24	TOTAL AMOUNT APPROPRIATED		<u>\$ 360,611,441</u> \$
25	<u>359,110,339</u>		

26

27 SECTION 4. "REED ACT FUNDS". There is hereby appropriated out of

28 funds made available to this State under Section 903 of the Social Security

29 Act, as amended, the sum of \$1,000,000, or so much thereof as may be

30 necessary, to be used, under the direction of the Employment Security

31 Department, for the purpose of construction and improvement of buildings,

32 rent/lease costs, acquisition of data processing equipment, acquisition of

33 land and/or for the payment of salaries and related benefits of local office

34 staff of the Employment Security Department for the biennial period ending

35 June 30, 1997.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

~~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.

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

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

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

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

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

SECTION 6. APPROPRIATIONS - ANNUAL ASSESSMENT. There is hereby
appropriated, to the Arkansas Employment Security Department, to be payable
from the Employment Security Special Fund, for payment of the annual
assessment to maintain voting member rights in the Interstate Conference of
Employment Security Agencies for the Arkansas Employment Security Department
for the biennial period ending June 30, 1997, the following:

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

1 SECTION 7. APPROPRIATIONS - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.
 2 There is hereby appropriated, to the Arkansas Employment Security
 3 Department, to be payable from the Employment Security Special Fund, for
 4 payment of unemployment benefits and of expenses incurred in the
 5 administration of the Employment Security Law when such expenses exceed funds
 6 available from other sources for services performed and/or costs incurred in
 7 the administration of such law by the Arkansas Employment Security Department
 8 for the biennial period ending June 30, 1997, the following:

10 ITEM	FISCAL YEARS	
11 NO.	1995-96	1996-97
12 (01) PAYMENT/EXPENSES	<u>\$ 4,000,000</u>	<u>\$</u>
13 <u>4,000,000</u>		

14
 15 ~~SECTION 8. APPROPRIATIONS - JOB TRAINING PARTNERSHIP ACT. There is~~
 16 hereby appropriated, to the Arkansas Employment Security Department, to be
 17 payable from the federal funds as designated by the Chief Fiscal Officer of
 18 the State, for grant payments of the Job Training Partnership Act of the
 19 Arkansas Employment Security Department for the biennial period ending June
 20 30, 1997, the following:

22 ITEM	FISCAL YEARS	
23 NO.	1995-96	1996-97
24 (01) JOB TRAINING PARTNERSHIP		
25 ACT GRANT PAYMENTS	<u>\$ 53,000,000</u>	<u>\$ 53,000,000</u>

26
 27 SECTION 9. APPROPRIATIONS. There is hereby appropriated, to the
 28 Arkansas Employment Security Department, to be payable from the Employment
 29 Security Advance Interest Trust Fund, to allow transfer of funds from the
 30 Employment Security Advance Interest Trust Fund to the Unemployment Insurance
 31 Trust Fund, for payment of unemployment insurance benefits, and to pay
 32 Unemployment Insurance Trust Fund loan interest, if needed, for the biennial
 33 period ending June 30, 1997, the following:

35 ITEM	FISCAL YEARS	
---------	--------------	--

1 NO.	1995-96	1996-97
2 (01) U.I. TRUST FUND TRANSFER	\$ 3,000,000	\$
3 3,000,000		
4 (02) LOAN INTEREST	<u>1</u>	
5 <u>1</u>		
6 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,000,001</u>	<u>\$</u>
7 <u>3,000,001</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
 18 the salary schedule for comparable positions as authorized under the
 19 provisions of 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
 23 and after having sought the prior review by the Arkansas Legislative Council,
 24 the Director of the Employment Security Department is hereby authorized to
 25 make transfers from any appropriation made by this Act to any other
 26 appropriation made by this Act with the exception of the "Reed Act Funds"
 27 appropriations set forth in Section 4 of this Act, and of the appropriation
 28 made for Regular Salaries or Maintenance and General Operation. Such
 29 transfers may be made whenever it appears, by projecting the expenditures of
 30 any of the appropriations in this Act, that there will be a deficiency of
 31 appropriation in one item and that there will be a corresponding excess of
 32 appropriation in another item or items which may be transferred. The
 33 transfer of appropriation shall be effected only on approval of the Chief
 34 Fiscal Officer of the State. Provided, however, that no transfer of
 35 appropriations may be authorized to increase the total amount appropriated

1 for Regular Salaries, or Maintenance and General Operations, except as may be
2 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, 1996, shall be transferred forward and made
8 available for the same purpose for the fiscal year ending June 30, 1997.

9

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

19

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

28

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

32

33 SECTION 16. SEVERABILITY. If any provision of this Act or the
34 application thereof to any person or circumstance is held invalid, such
35 invalidity shall not affect other provisions or applications of the Act which

1 can be given effect without the invalid provision or application, and to this
 2 end the provisions of this Act are declared to be severable.

3

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

6

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

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

1
2
3
4
5
6
7