

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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# A Bill

HOUSE BILL1548

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 19-5-912 CREATING AN EMPLOYMENT SECURITY  
9 DEPARTMENT TRUST FUND, AND TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES FOR THE EMPLOYMENT SECURITY DEPARTMENT FOR THE BIENNIAL  
11 PERIOD ENDING JUNE 30, 1997; AND FOR OTHER PURPOSES."

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## Subtitle

14 "AN ACT TO AMEND ARKANSAS CODE 19-5-912 CREATING AN EMPLOYMENT SECURITY  
15 DEPARTMENT TRUST FUND, AND TO MAKE AN APPROPRIATION FOR THE  
16 EMPLOYMENT SECURITY DEPARTMENT."

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

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20 SECTION 1. Arkansas Code § 19-5-912 is hereby amended to read as  
21 follows:

22 "Employment Security Department Trust Fund.

23 (a) There is established on the books of the Treasurer of State,  
24 Auditor of State, and the Chief Fiscal Officer of the State a trust fund to  
25 be known as the Arkansas Employment Security Department Trust Fund.

26 (b) This fund shall consist of such revenues as may be authorized by  
27 the federal government for support of various programs within the Employment  
28 Security Department, any interest accruing on these revenues, and any other  
29 funds made available by the General Assembly. It shall be used for the  
30 payment of program expenses of the Employment Security Department."

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32 SECTION 2. APPROPRIATIONS - PERSONAL SERVICES. There is hereby  
33 appropriated, to the Employment Security Department, to be payable from the  
34 Employment Security Department Trust Fund, for personal services of the  
35 Employment Security Department for the biennial period ending June 30, 1997,

1 the following:

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| 4 ITEM                        | FISCAL YEARS         |                      |
|-------------------------------|----------------------|----------------------|
| 5 NO.                         | 1995-96              | 1996-97              |
| 6 (01) REGULAR SALARIES       | \$ 22,322,305        | \$ 22,344,803        |
| 7 (02) EXTRA HELP             | 3,393,000            | 3,393,000            |
| 8 (03) PERSONAL SERV MATCHING | 5,617,191            | 5,621,482            |
| 9 (04) OVERTIME               | <u>1</u>             | <u>1</u>             |
| 10 TOTAL AMOUNT APPROPRIATED  | <u>\$ 31,332,497</u> | <u>\$ 31,359,286</u> |

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12 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
 13 authorized by this Act shall be limited to the appropriation for such agency  
 14 and funds made available by law for the support of such appropriations; and  
 15 the restrictions of the State Purchasing Law, the General Accounting and  
 16 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 17 Procedures and Restrictions Act, or their successors, and other fiscal  
 18 control laws of this State, where applicable, and regulations promulgated by  
 19 the Department of Finance and Administration, as authorized by law, shall be  
 20 strictly complied with in disbursement of said funds.

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22 SECTION 4. CODE. All provisions of this Act of a general and  
 23 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
 24 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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

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35 SECTION 6. SEVERABILITY. If any provision of this Act or the

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

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6 SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict  
7 with this Act are hereby repealed.

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9 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the  
10 Eightieth General Assembly meeting in Regular Session, that the provisions of  
11 this Act are of critical importance to the state's provision of employment  
12 service and unemployment programs as authorized by both the federal and state  
13 governments and administered through the Arkansas Employment Security  
14 Department; and that this act is necessary in order to comply with federal  
15 requirements on the interest earnings accumulated on federal funds deposited  
16 into the State Treasury; and that the Constitution of the State of Arkansas  
17 prohibits the appropriation of funds for more than a two (2) year period;  
18 that the effectiveness of this Act on July 1, 1995 is essential to the  
19 operation of the agency for which the appropriations in this Act are  
20 provided, and that in the event of an extension of the Regular Session, the  
21 delay in the effective date of this Act beyond July 1, 1995 could work  
22 irreparable harm upon the proper administration and provision of essential  
23 governmental programs. Therefore, an emergency is hereby declared to exist  
24 and this Act being necessary for the immediate preservation of the public  
25 peace, health and safety shall be in full force and effect from and after  
26 July 1, 1995.

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