

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1357

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE ARKANSAS EMPLOYMENT SECURITY
11 DEPARTMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1999;
12 AND FOR OTHER PURPOSES."
13

Subtitle

14
15 "AN ACT FOR THE ARKANSAS EMPLOYMENT
16 SECURITY DEPARTMENT APPROPRIATION FOR
17 THE 1997-99 BIENNIUM."
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. REGULAR SALARIES. There is hereby established for the
22 Arkansas Employment Security Department for the 1997-99 biennium, the
23 following maximum number of regular employees whose salaries shall be governed
24 by the provisions of the Uniform Classification and Compensation Act (Arkansas
25 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
26 Provided, however, that any position to which a specific maximum annual salary
27 is set out herein in dollars, shall be exempt from the provisions of said
28 Uniform Classification and Compensation Act. All persons occupying positions
29 authorized herein are hereby governed by the provisions of the Regular
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
31 successor.
32

			Maximum Annual
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
No.	Code	Title	Employees 1997-98 1998-99

1	(1) 9926 ESD DIRECTOR	1	\$ 95,995	\$ 98,682
2	(2) 9624 ESD DEPUTY DIRECTOR	1	\$ 79,237	\$ 81,455
3	(3) 9928 CHAIRMAN OF THE BOARD OF REVIEW	1	\$ 71,640	\$ 73,645
4	(4) 7023 ESD ADMR OFC FIELD OPERATIONS	1	\$ 71,640	\$ 73,645
5	(5) 7024 ESD ADMR OFC FIN/MGMT & ADMIN SVCS	1	\$ 71,640	\$ 73,645
6	(6) 7027 ESD CHIEF COUNSEL/OFC LEGAL SVCS	1	\$ 71,640	\$ 73,645
7	(7) 7026 ESD ADMR OFC EMPLOY & TRAIN SVCS	1	\$ 71,640	\$ 73,645
8	(8) 7025 ESD ADMR OFC UNEMPLOYMENT INS	1	\$ 71,640	\$ 73,645
9	(9) 053Z ESD DIR INTERNAL AUDIT & SECURITY	1		GRADE 26
10	827Z DATA PROCESSING CENTER MANAGER	1		
11	(10) R170 ATTORNEY SPECIALIST	1		GRADE 25
12	(11) 711Z ESD DIVISION CHIEF	9		GRADE 24
13	710Z ESD AREA OPERATION CHIEF	4		
14	R036 ATTORNEY	7		
15	D064 SR SYSTEMS PROGRAMMER	1		
16	716Z ESD ASSISTANT ADMINISTRATOR	1		
17	(12) D046 SYSTEMS APPLICATIONS SUPERVISOR	5		GRADE 23
18	(13) D038 SYSTEMS PROGRAMMER	3		GRADE 22
19	795Z ESD MANAGER II	17		
20	744Z ESD EQUAL OPPORTUNITY MANAGER	1		
21	D106 DATA PROCESSING OPERATIONS MANAGER	1		
22	717Z ESD PERSONNEL MANAGER	1		
23	D124 LEAD PROGRAMMER/ANALYST	3		
24	(14) A104 TAX AUDITOR SUPERVISOR	1		GRADE 21
25	D036 SR PROGRAMMER/ANALYST	22		
26	799Z ESD MANAGER I	10		
27	R111 ESD PROGRAM OPERATIONS MANAGER	16		
28	A008 ACCOUNTING SUPERVISOR II	6		
29	D010 DATA BASE ANALYST	2		
30	V080 MGR PURCHASING & PROPERTY MGT	1		
31	(15) A056 INTERNAL AUDITOR	3		GRADE 20
32	C018 ESD COMMUNICATIONS & MEDIA OFFICER	1		
33	A036 FIELD AUDITOR SUPERVISOR	5		
34	R266 MANAGEMENT PROJECT ANALYST II	7		
35	A006 ACCOUNTING SUPERVISOR I	1		

1	(16)	D132 SYSTEMS COORDINATION ANALYST 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	6	
6		R086 CIVIL RIGHTS COORDINATOR	1	
7		R048 BUDGET SPECIALIST	4	
8		E074 TRAINING REPRESENTATIVE	3	
9		Y031 ESD PRINT SHOP SUPERVISOR	1	
10	(17)	R264 MANAGEMENT PROJECT ANALYST I	25	GRADE 18
11		X355 ESD U I INVESTIGATOR II	13	
12		A070 ESD FIELD TAX REP II	28	
13		R169 ESD EMPLOYMENT SERVICES REP	1	
14		X310 ESD TECHNICIAN II	12	
15		D034 PROGRAMMER ANALYST	2	
16		A111 ACCOUNTANT	14	
17		R237 ESD PROGRAM SUPERVISOR	54	
18		R327 ESD RESEARCH & ANALYSIS ANALYST	19	
19		V040 PURCHASE AGENT II/PURCHASE AGENT	1	
20		W030 RECORDS MANAGEMENT ANALYST II	1	
21		G028 BUILDING PLANT MAINTENANCE SUPV II	1	
22	(18)	R162 STATISTICIAN/STATISTICIAN II	2	GRADE 17
23		R257 ESD INTERVIEWER II	249	
24		M170 QUALITY CONTROL REVIEWER	1	
25		K040 ESD UNIT SUPERVISOR II	7	
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	6	GRADE 16
35		A024 COLLECTION OFFICER	1	

1	(20) D005 COMPUTER OPERATOR II	3	GRADE 15
2	A108 ACCOUNTING TECHNICIAN II	3	
3	R259 ESD INTERVIEWER I	5	
4	R009 ADMINISTRATIVE ASSISTANT I	1	
5	V039 PURCHASE AGENT I/ASST PURCHASE AGENT	1	
6	A063 PAYROLL OFFICER	1	
7	K011 ADMINISTRATIVE OFFICE SUPERVISOR	5	
8	V051 STOREROOM SUPV/STORE SUPV	1	
9	K105 REPROD EQUIPMENT OPERATOR SUPV	1	
10	(21) X336 ESD CLAIMS ADJUDICATOR	20	GRADE 14
11	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	7	
12	K117 MEDICAL OR LEGAL SECRETARY	5	
13	(22) A012 ESD ACCOUNTING CLERK	1	GRADE 13
14	D114 DATA PROCESSING PROD SCHEDULER	2	
15	K153 SECRETARY II	19	
16	(23) K039 DOCUMENT EXAMINER II	30	GRADE 12
17	X330 ESD CLAIMS ADJUDICATOR TRAINEE	1	
18	(24) K155 SECRETARY I	1	GRADE 11
19	(25) V029 INVENTORY CONTROL CLERK	1	GRADE 10
20	K037 DOCUMENT EXAMINER I	1	
21	K006 DATA ENTRY SPECIALIST	1	
22	(26) K065 MAIL OFFICER	2	GRADE 09
23	(27) K015 OFFICE CLERK	1	GRADE 07
24	(28) G107 BLDG/EQUIP MAINT REPAIRMAN I	1	GRADE 06
25	(29) G035 CUSTODIAL WRKR II	1	GRADE 04
26	(30) G171 CUSTODIAL WRKR I	<u>1</u>	GRADE 03
27	MAX NO. OF EMPLOYEES	750	

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29 SECTION 2. SPECIAL LANGUAGE - EXTRA HELP. There is hereby authorized,
30 for the Employment Security Department for the 1997-99 biennium, the following
31 maximum number of part-time or temporary employees, to be known as "Extra
32 Help", payable from funds appropriated herein for such purposes: four hundred
33 (400) temporary or part-time employees, when needed, at rates of pay not to
34 exceed those provided in the Uniform Classification and Compensation Act, or
35 its successor, for the appropriate classification. Any of these positions

1 utilized in a manner which are funded by federal sources are specifically
 2 exempt from limitation of hours, either by Act or Regulation.

3

4 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the
 5 Arkansas Employment Security Department, to be payable from the Arkansas
 6 Employment Security Department Trust Fund, for personal services of the
 7 Arkansas Employment Security Department for the biennial period ending June
 8 ~~30, 1999, the following:~~

9

10 ITEM	FISCAL YEARS	
11 NO.	1997-98	1998-99
12 (01) REGULAR SALARIES	\$ 23,823,471	\$ 24,471,701
13 (02) EXTRA HELP	3,393,000	3,393,000
14 (03) PERSONAL SERV MATCHING	<u>7,015,795</u>	<u>7,140,433</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$ 34,232,266</u>	<u>\$ 35,005,134</u>

16

17 SECTION 4. APPROPRIATIONS - OPERATIONS. There is hereby appropriated,
 18 to the Arkansas Employment Security Department, to be payable from cash funds
 19 as defined by Arkansas Code 19-4-801 of the Arkansas Employment Security
 20 Department, for operating expenses of the Arkansas Employment Security
 21 ~~Department for the biennial period ending June 30, 1999, the following:~~

22

23 ITEM	FISCAL YEARS	
24 NO.	1997-98	1998-99
25 (01) OVERTIME	\$ 1	\$ 1
26 (02) MAINT. & GEN. OPERATION		
27 (A) OPER. EXPENSE	8,084,033	8,089,533
28 (B) CONF. & TRVL.	230,500	230,500
29 (C) PROF. FEES	900,000	900,000
30 (D) CAP. OUTLAY	2,427,000	2,497,000
31 (E) DATA PROC.	400,000	400,000
32 (03) DISASTER RELIEF PAYMENTS/JTPA		
33 GRANTS	2,000,000	2,000,000
34 (04) TRAINING ALLOWANCES	10,000,000	10,000,000
35 (05) PAY TO PARTICIPANT CONTRACTORS	10,000,000	10,000,000

1	(06)	UI LOAN REPAYMENT	1	1
2	(07)	ESD SPECIAL FUND	100,000	100,000
3	(08)	CONSTRUCTION OF HOPE MIGRANT FARM LABOR CTR	300,000	0
4	(09)	FED. EMP. BENEFIT PAYMENTS	70,000,000	70,000,000
5	(10)	U. I. BENEFITS - TAXABLE EMPLOYERS	210,000,000	210,000,000
6	(11)	U. I. BENEFITS - REIMBURSABLE EMPLOYERS	14,000,000	14,000,000
7		TOTAL AMOUNT APPROPRIATED	<u>\$ 328,441,535</u>	<u>\$ 328,217,035</u>

8

9 SECTION 5. APPROPRIATIONS - ESD SPECIAL FUND. There is hereby
 10 appropriated, to the Arkansas Employment Security Department, to be payable
 11 from the Employment Security Special Fund for the use of the Arkansas
 12 Employment Security Department for the biennial period ending June 30, 1999,
 13 the following:

14

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

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

22

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

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

26 SECTION 6. APPROPRIATIONS - ANNUAL ASSESSMENT. There is hereby
 27 appropriated, to the Arkansas Employment Security Department, to be payable
 28 from the Employment Security Special Fund, for payment of the annual
 29 assessment to maintain voting member rights in the Interstate Conference of
 30 Employment Security Agencies for the Arkansas Employment Security Department
 31 for the biennial period ending June 30, 1999, the following:

32

33	ITEM	FISCAL YEARS	
34	NO.	1997-98	1998-99
35	(01) ANNUAL ASSESSMENT	<u>\$ 25,000</u>	<u>\$ 25,000</u>

1

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

3 There is hereby appropriated, to the Arkansas Employment Security Department,
 4 to be payable from the Employment Security Special Fund, for payment of
 5 unemployment benefits and expenses incurred in the administration of the
 6 Employment Security Law when such expenses exceed funds available from other
 7 sources for services performed and/or costs incurred in the administration of
 8 such law by the Arkansas Employment Security Department for the biennial
 9 period ending June 30, 1999, the following:

10

11 ITEM	FISCAL YEARS	
12 NO.	1997-98	1998-99
13 (01) PAYMENT/EXPENSES	<u>\$ 9,000,000</u>	<u>\$ 9,000,000</u>

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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, 1999, the following:

21

22 ITEM	FISCAL YEARS	
23 NO.	1997-98	1998-99
24 (01) JOB TRAINING PARTNERSHIP ACT		
25 GRANT PAYMENTS		<u>\$</u>
26 <u>51,000,000</u> <u>\$ 51,000,000</u>		

27

28 SECTION 9. APPROPRIATIONS. There is hereby appropriated, to the
 29 Arkansas Employment Security Department, to be payable from the Employment
 30 Security Advance Interest Trust Fund, to allow transfer of funds from the
 31 Employment Security Advance Interest Trust Fund to the Unemployment Insurance
 32 Trust Fund, for payment of unemployment insurance benefits, and to pay
 33 Unemployment Insurance Trust Fund loan interest, if needed, for the biennial
 34 period ending June 30, 1999, the following:

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1 ITEM	FISCAL YEARS	
2 NO.	1997-98	1998-99
3 (01) U. I. TRUST FUND TRANSFER	\$ 3,000,000	\$ 3,000,000
4 (02) LOAN INTEREST	1	
5 <u>1</u>		
6 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,000,001</u>	<u>\$ 3,000,001</u>

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8 SECTION 10. SPECIAL LANGUAGE - "REED ACT FUNDS". There is hereby

9 appropriated out of funds made available to this State under Section 903 of

10 the Social Security Act, as amended, the sum of \$1,000,000, or so much thereof

11 as may be necessary, to be used, under the direction of the Employment

12 Security Department, for the purpose of construction and improvement of

13 buildings, rent/lease costs, acquisition of data processing equipment,

14 acquisition of land and/or for the payment of salaries and related benefits of

15 local office staff of the Employment Security Department for the biennial

16 period ending June 30, 1999.

17

18 The amount obligated pursuant to this Act shall not exceed the amount by

19 which (a) the aggregate of the amounts transferred to the account of this

20 State pursuant to Section 903 of the Social Security Act exceeds (b) the

21 aggregate of the amounts used by this State and charged against the amounts

22 transferred to the account of this State.

23

24 SECTION 11. SPECIAL LANGUAGE - ADDITIONAL POSITIONS. The Director of

25 the Employment Security Department, after receiving the approval of the Office

26 of Personnel Management, and after seeking the prior review by the Arkansas

27 Legislative Council, shall have the authority to establish such new or

28 additional full time positions as may become necessary to carry out the

29 objectives of the program and/or to meet Federal requirements of new and/or

30 expanded programs where such needs are financed by federal funds; provided

31 that not more than two hundred persons may be employed in addition to those

32 authorized in the salary schedule and that the rate of pay shall not exceed

33 those set out in the salary schedule for comparable positions as authorized

34 under the provisions of Section 1 of this Act.

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1 SECTION 12. SPECIAL LANGUAGE - TRANSFER OF APPROPRIATION. Subject to
2 such rules and regulations as may be implemented by the Chief Fiscal Officer
3 of the State and after having sought the prior review by the Arkansas
4 Legislative Council, the Director of the Employment Security Department is
5 hereby authorized to make transfers from any appropriation made by this Act to
6 any other appropriation made by this Act with the exception of the "Reed Act
7 Funds" appropriations set forth in Section 10 of this Act, and of the
8 appropriation made for Regular Salaries or Maintenance and General Operation.
9 Such transfers may be made whenever it appears, by projecting the
10 expenditures of any of the appropriations in this Act, that there will be a
11 deficiency of appropriation in one item and that there will be a corresponding
12 excess of appropriation in another item or items which may be transferred.
13 The transfer of appropriation shall be effected only on approval of the Chief
14 Fiscal Officer of the State. Provided, however, that no transfer of
15 appropriations may be authorized to increase the total amount appropriated for
16 Regular Salaries, or Maintenance and General Operations, except as may be
17 authorized elsewhere by law.

18
19 SECTION 13. SPECIAL LANGUAGE - CARRY FORWARD. Any unexpended balance
20 of appropriation made by this Act, with the exception of appropriation made
21 for Regular Salaries and Maintenance and General Operation, which remains at
22 the close of the fiscal year ending June 30, 1998, shall be transferred
23 forward and made available for the same purpose for the fiscal year ending
24 June 30, 1999.

25
26 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
27 authorized by this Act shall be limited to the appropriation for such agency
28 and funds made available by law for the support of such appropriations; and
29 the restrictions of the State Purchasing Law, the General Accounting and
30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
31 Procedures and Restrictions Act, or their successors, and other fiscal control
32 laws of this State, where applicable, and regulations promulgated by the
33 Department of Finance and Administration, as authorized by law, shall be
34 strictly complied with in disbursement of said funds.

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

9

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

13

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

19

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

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23 SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the
24 Eighty-First General Assembly, that the Constitution of the State of Arkansas
25 prohibits the appropriation of funds for more than a two (2) year period; that
26 the effectiveness of this Act on July 1, 1997 is essential to the operation of
27 the agency for which the appropriations in this Act are provided, and that in
28 the event of an extension of the Regular Session, the delay in the effective
29 date of this Act beyond July 1, 1997 could work irreparable harm upon the
30 proper administration and provision of essential governmental programs.
31 Therefore, an emergency is hereby declared to exist and this Act being
32 necessary for the immediate preservation of the public peace, health and
33 safety shall be in full force and effect from and after July 1, 1997.

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