

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.

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

# A Bill

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

36 Maximum Annual



1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2005-2006	2006-2007
4	(1)	9926	ESD DIRECTOR	1	\$119,887	\$122,595
5	(2)	9624	ESD DEPUTY DIRECTOR	1	\$99,420	\$101,821
6	(3)	9928	CHAIRMAN OF THE BOARD OF REVIEW	1	\$90,081	\$92,342
7	(4)	7027	ESD CHIEF COUNSEL/OFC LEGAL SVCS	1	\$90,081	\$92,342
8	(5)	7026	ESD ASST DIR, INFO AND TECHNOLOGY	1	\$90,081	\$92,342
9	(6)	7025	ESD ASST DIR, UNEMPLOYMENT INS	1	\$90,081	\$92,342
10	(7)	7024	ESD ASST DIR, FINANCIAL MANAGEMENT	1	\$90,081	\$92,342
11	(8)	7023	ESD ASST DIR, EMPLOYMENT ASSISTANCE	1	\$90,081	\$92,342
12	(9)	9275	FEDERAL GRANTS/RESOURCE ADMIN.	1	\$82,792	\$84,915
13	(10)	827Z	DP CENTER MANAGER	1	GRADE 26	
14	(11)	922Z	ESD DEP ASST DIR EMP. ASSISTANCE	1	GRADE 26	
15	(12)	924Z	ESD DEP ASST DIR UNEMP. INSURANCE	1	GRADE 26	
16	(13)	053Z	ESD DIR INTERNAL AUDIT & SECURITY	1	GRADE 26	
17	(14)	R170	ATTORNEY SPECIALIST	2	GRADE 25	
18	(15)	R036	ATTORNEY	7	GRADE 24	
19	(16)	D130	INFORMATION SYSTEMS ADMINISTRATOR	1	GRADE 24	
20	(17)	710Z	ESD AREA OPERATION CHIEF	4	GRADE 24	
21	(18)	711Z	ESD DIVISION CHIEF	7	GRADE 24	
22	(19)	716Z	ESD ASSISTANT ADMINISTRATOR	1	GRADE 24	
23	(20)	717Z	ESD PERSONNEL MANAGER	1	GRADE 23	
24	(21)	D046	SYSTEMS APPLICATIONS SUPERVISOR	5	GRADE 23	
25	(22)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE 22	
26	(23)	D124	LEAD PROGRAMMER/ANALYST	12	GRADE 22	
27	(24)	E051	TRAINING PROJECT MANAGER	1	GRADE 22	
28	(25)	D038	SYSTEMS PROGRAMMER	2	GRADE 22	
29	(26)	744Z	ESD EQUAL OPPORTUNITY MANAGER	1	GRADE 22	
30	(27)	795Z	ESD MANAGER II	16	GRADE 22	
31	(28)	799Z	ESD MANAGER I	10	GRADE 21	
32	(29)	A008	ACCOUNTING SUPERVISOR II	6	GRADE 21	
33	(30)	D036	SR PROGRAMMER/ANALYST	8	GRADE 21	
34	(31)	D010	DATA BASE ANALYST	1	GRADE 21	
35	(32)	R111	ESD PROGRAM OPERATIONS MANAGER	20	GRADE 21	
36	(33)	X324	CLAIMS HEARING OFFICER II	12	GRADE 21	

1	(34)	R266	MANAGEMENT PROJECT ANALYST II	26	GRADE 20
2	(35)	R144	PROGRAM COORDINATOR	1	GRADE 20
3	(36)	A036	FIELD AUDITOR SUPERVISOR	5	GRADE 20
4	(37)	A038	FINANCIAL ANALYST	1	GRADE 20
5	(38)	C018	ESD COMMUNICATIONS & MEDIA OFFICER	1	GRADE 20
6	(39)	A056	INTERNAL AUDITOR	2	GRADE 20
7	(40)	A154	ESD FIELD TAX REP III	5	GRADE 19
8	(41)	R150	RESEARCH PROJECT ANALYST	17	GRADE 19
9	(42)	R168	GRANTS COORDINATOR II	1	GRADE 19
10	(43)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
11	(44)	R048	BUDGET SPECIALIST	4	GRADE 19
12	(45)	R059	ESD APPEALS REFEREE	3	GRADE 19
13	(46)	R086	CIVIL RIGHTS COORDINATOR	1	GRADE 19
14	(47)	E074	TRAINING REPRESENTATIVE	2	GRADE 19
15	(48)	R344	ESD SATELLITE OFFICE SUPERVISOR	5	GRADE 19
16	(49)	Y031	ESD PRINT SHOP SUPERVISOR	1	GRADE 19
17	(50)	X346	ESD UI CLAIM TECHNICIAN	38	GRADE 18
18	(51)	X355	ESD U I INVESTIGATOR II	11	GRADE 18
19	(52)	R264	MANAGEMENT PROJECT ANALYST I	6	GRADE 18
20	(53)	X310	ESD TECHNICIAN II	4	GRADE 18
21	(54)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
22	(55)	R327	ESD RESEARCH & ANALYSIS ANALYST	2	GRADE 18
23	(56)	R237	ESD PROGRAM SUPERVISOR	45	GRADE 18
24	(57)	G028	BLDG PLANT MAINTENANCE SUPV II	1	GRADE 18
25	(58)	D034	PROGRAMMER ANALYST	1	GRADE 18
26	(59)	M170	QUALITY CONTROL REVIEWER	1	GRADE 18
27	(60)	R169	ESD EMPLOYMENT SERVICES REP	1	GRADE 18
28	(61)	A111	ACCOUNTANT	14	GRADE 18
29	(62)	A070	ESD FIELD TAX REP II	27	GRADE 18
30	(63)	A055	ESD FIELD TAX REP I	1	GRADE 17
31	(64)	R010	ADMINISTRATIVE ASSISTANT II	8	GRADE 17
32	(65)	R190	PERSONNEL OFFICER II	2	GRADE 17
33	(66)	K040	ESD UNIT SUPERVISOR II	7	GRADE 17
34	(67)	R257	ESD INTERVIEWER II	231	GRADE 17
35	(68)	K044	ESD UNIT SUPERVISOR I	3	GRADE 16
36	(69)	A024	COLLECTION OFFICER	1	GRADE 16

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

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20 SECTION 2. APPROPRIATION - ADMINISTRATION AND SUPPORT PROGRAM. There is  
 21 hereby appropriated, to be payable from the funds and fund accounts as set  
 22 out herein, to the Arkansas Employment Security Department for the biennial  
 23 period ending June 30, 2007, the following:

24 (a) For the Administration and Support Program, the sum of \$118,081,654 for  
 25 the 2005-2006 fiscal year and \$38,580,284 for the 2006-2007 fiscal year.

26 (1) Program Description. Provide administrative direction and support for  
 27 the agency.

28	(2) Appropriation payable from:		FISCAL YEARS	
29			<u>2005-2006</u>	<u>2006-2007</u>
30	(A) Federal Funds as designated by			
31	the Chief Fiscal Officer of the			
32	State	\$	102,155,912	\$ 25,472,653
33	(B) Other Funds	\$	15,925,742	\$ 13,107,631

34 (3) Performance Targets:

35 (A) Number of prior year audit  
 36 findings reported in subsequent

1	audit.	None	None
2	(B) Percent of Agency key		
3	Performance Measures met.	90%	90%

4

5 SECTION 3. APPROPRIATION - STATE WORKFORCE SERVICES PROGRAM. There is

6 hereby appropriated, to be payable from the funds and fund accounts as set

7 out herein, to the Arkansas Employment Security Department for the biennial

8 period ending June 30, 2007, the following:

9 (a) For the State Workforce Services Program, the sum of \$668,427,163 for

10 the 2005-2006 fiscal year and \$668,598,634 for the 2006-2007 fiscal year.

11 (1) Program Description. Provide comprehensive workforce and unemployment

12 services for the citizens of Arkansas.

13	(2) Appropriation payable from:	FISCAL YEARS	
14		<u>2005-2006</u>	<u>2006-2007</u>
15	(A) Federal Funds as designated by		
16	the Chief Fiscal Officer of the		
17	State	\$ 668,427,163	\$ 668,598,634

18 (3) Performance Targets:

19	(A) Average duration rate of		
20	unemployment compensation		
21	benefits.	12.0	11.8

22	(B) Help the employed and unemployed		
23	find work or training	.4% Increase	.4% Increase
24		each year	each year

25	(C) Number of workforce incentive		
26	credit certificates issued for		
27	targeted worker	57	58

28	(D) Payment of first unemployment		
29	insurance benefit check within 14		
30	days.	90%	90%

31	(E) Percent of labor market		
32	information reports completed in		
33	accordance with grant		
34	requirements for accuracy and	3.5% or less	3.5% or less
35	timeliness	annual revision	annual revision

36 (F) Percentage of veterans receiving

1 case management services finding  
 2 employment. 29% 32%  
 3 (G) Transfer of taxes from local  
 4 banks to the UI Trust Fund in the  
 5 U.S. Treasury within 1.75 days 1.75 days 1.75 days  
 6

7 SECTION 4. APPROPRIATION - LOCAL WORKFORCE DEVELOPMENT BOARD SERVICES

8 PROGRAM. There is hereby appropriated, to be payable from the funds and fund  
 9 accounts as set out herein, to the Arkansas Employment Security Department  
 10 for the biennial period ending June 30, 2007, the following:

11 (a) For the Local Workforce Development Board Services Program, the sum of  
 12 \$70,109,547 for the 2005-2006 fiscal year and \$70,119,557 for the 2006-2007  
 13 fiscal year.

14 (1) Program Description. Provide training and employment assistance at  
 15 the state and local level.

16 (2) Appropriation payable from: FISCAL YEARS

	<u>2005-2006</u>	<u>2006-2007</u>
17		
18 (A) Federal Funds as designated by		
19 the Chief Fiscal Officer of the		
20 State	\$ 70,109,547	\$ 70,119,557

21 (3) Performance Targets:

22 (A) Compare combined count of  
 23 participants (adult, dislocated  
 24 workers) who received WIA  
 25 training services Not Determined Not Determined

26 (B) Compare combined WIA Entered  
 27 Employment Rate, first quarter  
 28 after exit (percent), for adults,  
 29 dislocated workers and older  
 30 youth 87% 89%

31 (C) Produce a combined unduplicated  
 32 count of WIA participants (adult,  
 33 dislocated workers, older youth,  
 34 younger youth) received through  
 35 local investment boards 10,400 10,500  
 36

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

			Maximum Annual		
			Maximum	Salary Rate	
			No. of	Fiscal Years	
Item	Class	Title	Employees	2005-2006	2006-2007
17	(1)	8037 ESD PROGRAM ADMINISTRATOR	<u>1</u>	\$77,746	\$79,773
18		MAX. NO. OF EMPLOYEES	1		

19  
 20 SECTION 6. APPROPRIATION - NEW HIRE REGISTRY PROGRAM. There is hereby  
 21 appropriated, to be payable from the funds and fund accounts as set out  
 22 herein, to the Arkansas Employment Security Department for the biennial  
 23 period ending June 30, 2007, the following:

24 (a) For the New Hire Registry Program, the sum of \$532,139 for the 2005-2006  
 25 fiscal year and \$534,558 for the 2006-2007 fiscal year.

26 (1) Program Description. Provide a current source of data on all new  
 27 hires in Arkansas.

		FISCAL YEARS	
		<u>2005-2006</u>	<u>2006-2007</u>
28	(2) Appropriation payable from:		
29			
30	(A) General Revenue:		
31	Miscellaneous Agencies Fund		
32	Account	\$ <u>149,042</u>	\$ <u>151,461</u>
33	TOTAL General Revenue	\$ 149,042	\$ 151,461
34	(B) Federal Funds as designated by		
35	the Chief Fiscal Officer of the		
36	State	\$ 351,212	\$ 352,809

1 (3) Performance Targets:

2 (A) Enter data in New Hire Registry  
3 within five business days of  
4 receipt.

95% 95%

5  
6 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
8 FORWARD - NEW HIRE REGISTRY. Any balance in the appropriation and funds made  
9 available by this Act for the New Hire Registry which remain on June 30, ~~2004~~  
10 2006, may be carried forward into the next fiscal year, to be used for the  
11 same purpose. The provisions of this section shall be in effect only from  
12 July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

13  
14 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
16 HELP. There is hereby authorized, for the Employment Security Department for  
17 the ~~2003-2005~~ 2005-2007 biennium, the following maximum number of part-time  
18 or temporary employees, to be known as "Extra Help", payable from funds  
19 appropriated herein for such purposes: four hundred (400) temporary or part-  
20 time employees, when needed, at rates of pay not to exceed those provided in  
21 the Uniform Classification and Compensation Act, or its successor, for the  
22 appropriate classification. Any of these positions utilized in a manner  
23 which are funded by federal sources are specifically exempt from limitation  
24 of hours, either by Act or Regulation. The provisions of this section shall  
25 be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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27 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
29 FORWARD. Any unexpended balance of appropriation made by this Act, which  
30 remains at the close of the fiscal year ending June 30, ~~2004~~ 2006, shall be  
31 transferred forward and made available for any purpose other than Regular  
32 Salaries and Maintenance and General Operations for the fiscal year ending  
33 June 30, ~~2005~~ 2007. The provisions of this section shall be in effect only  
34 from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

35  
36 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS



1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. "REED ACT  
2 FUNDS". ~~Funds made available to the State under Section 903 of the Social  
3 Security Act may be used, under the direction of the Employment Security  
4 Department with respect to federal fiscal years 2000, 2001, 2002 and 2003  
5 solely for the administration of the unemployment compensation program, for  
6 the purpose of construction, and improvement of buildings, rent/lease costs,  
7 acquisition of land and/or for the payment of salaries, related benefits and  
8 maintenance and operation of central and local office staff, or as otherwise  
9 prescribed in Section 903 of the Social Security Act, as amended.~~

10 Funds received by the State ~~on March 13, 2002~~ may be used as specified in  
11 903(d) of the Social Security Act, for the purpose of construction, and  
12 improvement of buildings, rent/lease costs, acquisition of land ~~and/or for~~  
13 the payment of salaries, and related benefits and maintenance and operation  
14 of central and local office staff, maintenance and operation of central and  
15 local offices, payment of unemployment insurance benefits, or as otherwise  
16 prescribed in Section 903 of the Social Security Act, as amended.

17 The amount obligated pursuant to this Act shall not exceed the amount by  
18 which (a) the aggregate of the amounts transferred to the account of this  
19 State pursuant to Section 903 of the Social Security Act exceeds (b) the  
20 aggregate of the amounts used by this State and charged against the amounts  
21 transferred to the account of this State.

22 The provisions of this section shall be in effect only from July 1, 2003  
23 2005 through June 30, ~~2005~~ 2007.

24  
25 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

27 ADDITIONAL POSITIONS. The Director of the Employment Security Department,  
28 after receiving the approval of the Office of Personnel Management, and after  
29 seeking the prior review by the Arkansas Legislative Council, shall have the  
30 authority to establish such new or additional full time positions as may  
31 become necessary to carry out the objectives of the program and/or to meet  
32 Federal requirements of new and/or expanded programs where such needs are  
33 financed by federal funds; provided that not more than two hundred persons  
34 may be employed in addition to those authorized in the salary schedule and  
35 that the rate of pay shall not exceed those set out in the salary schedule  
36 for comparable positions as authorized under the provisions of Section 1 of

1 this Act.

2 If the agency requests continuation of a "Growth Pool" position(s) as  
 3 established herein during the next biennium, the position(s) must be  
 4 requested as a new position(s) in the agencies biennial budget request.

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

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8 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
 10 FORWARD. Any balance in the General Revenue funds made available by this Act  
 11 as matching funds for the Welfare-to-Work Initiative which remains on June  
 12 30, ~~2004~~ 2006, may be carried forward into the next fiscal year, to be used  
 13 for the same purpose. The provisions of this section shall be in effect only  
 14 from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

15

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

25

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

34

35 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General  
 36 Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a two (2) year period; that the  
2 effectiveness of this Act on July 1, 2005 is essential to the operation of  
3 the agency for which the appropriations in this Act are provided, and that in  
4 the event of an extension of the Regular Session, the delay in the effective  
5 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
6 proper administration and provision of essential governmental programs.  
7 Therefore, an emergency is hereby declared to exist and this Act being  
8 necessary for the immediate preservation of the public peace, health and  
9 safety shall be in full force and effect from and after July 1, 2005.

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