

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
4

As Engrossed: H3/15/05

A Bill

HOUSE BILL 1510

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	

19

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

25

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

33

34 *SECTION 3. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to*
 35 *the Arkansas Employment Security Department, to be payable from cash funds as*
 36 *defined by Arkansas Code 19-4-801 of the Arkansas Employment Security*

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

3

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

21

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

28

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

32

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

1 Employment Security Law when such expenses exceed funds available from other
 2 sources by the Arkansas Employment Security Department for the biennial
 3 period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) PAYMENT/EXPENSES	\$ 12,048,033	\$ 10,082,630

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

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) WORKFORCE INVESTMENT ACT PAYMENTS	\$ 58,000,000	\$ 58,000,000

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

ITEM NO.	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

35 SECTION 8. REGULAR SALARIES - NEW HIRE REGISTRY. There is hereby
 36 established for the Arkansas Employment Security Department - New Hire

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

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

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

<i>ITEM</i>	<i>FISCAL YEARS</i>	
	<i>2005-2006</i>	<i>2006-2007</i>
<i>NO.</i>		
(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

1 appropriated, to the Arkansas Employment Security Department, to be payable
2 from the federal funds as designated by the Chief Fiscal Officer of the
3 State, for personal services and operating expenses of the Arkansas
4 Employment Security Department - New Hire Registry - Federal for the biennial
5 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>

18
19 SECTION 11. APPROPRIATION - REED ACT. There is hereby appropriated, to
20 the Arkansas Employment Security Department, to be payable from cash funds as
21 defined by Arkansas Code 19-4-801, for construction, improvement of
22 buildings, rent and lease costs, acquisition of land, payment of salaries and
23 related benefits, maintenance and general operation and for the payment of
24 unemployment insurance benefits, or as prescribed by the Social Security Act
25 of the Arkansas Employment Security Department for the biennial period ending
26 June 30, 2007, the sum of\$77,000,000.

27
28 SECTION 12. APPROPRIATION - ADMINISTRATION BUILDING UPKEEP. There is
29 hereby appropriated, to the Arkansas Employment Security Department, to be
30 payable from the Employment Security Special Fund, for maintenance, repairs,
31 equipment, furnishings, upkeep of the Administration Building and all other
32 agency owned buildings, and maintenance of adjacent parking areas of the
33 Arkansas Employment Security Department for the biennial period ending June
34 30, 2007, the sum of\$455,000.

35
36 SECTION 13. APPROPRIATION - BUILDING AND LAND ACQUISITION. There is hereby

1 appropriated, to the Arkansas Employment Security Department, to be payable
2 from the Employment Security Special Fund, for acquisition of buildings,
3 acquisition of land, construction of buildings, and modification of existing
4 buildings outside of the Pulaski County area of the Arkansas Employment
5 Security Department for the biennial period ending June 30, 2007, the sum
6 of.....\$300,000.

7
8 SECTION 14. APPROPRIATION - RENT OF BUILDINGS. There is hereby
9 appropriated, to the Arkansas Employment Security Department, to be payable
10 from the Employment Security Special Fund, for rent of buildings by the
11 Arkansas Employment Security Department for the biennial period ending June
12 30, 2007, the sum of.....\$96,708.

13
14 SECTION 15. APPROPRIATION - SPECIAL IMPROVEMENT DISTRICT TAXES. There is
15 hereby appropriated, to the Arkansas Employment Security Department, to be
16 payable from the Employment Security Special Fund, for payment of special
17 improvement district taxes of the Arkansas Employment Security Department for
18 the biennial period ending June 30, 2007, the sum of.....\$1,000.

19
20 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
22 FORWARD - NEW HIRE REGISTRY. Any balance in the appropriation and funds made
23 available by this Act for the New Hire Registry which remain on June 30, ~~2004~~
24 2006, may be carried forward into the next fiscal year, to be used for the
25 same purpose. The provisions of this section shall be in effect only from
26 July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

27
28 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
30 HELP. There is hereby authorized, for the Employment Security Department for
31 the ~~2003-2005~~ 2005-2007 biennium, the following maximum number of part-time
32 or temporary employees, to be known as "Extra Help", payable from funds
33 appropriated herein for such purposes: four hundred (400) temporary or part-
34 time employees, when needed, at rates of pay not to exceed those provided in
35 the Uniform Classification and Compensation Act, or its successor, for the
36 appropriate classification. Any of these positions utilized in a manner

1 which are funded by federal sources are specifically exempt from limitation
2 of hours, either by Act or Regulation. The provisions of this section shall
3 be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

4
5 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
7 FORWARD. Any unexpended balance of appropriation made by this Act, which
8 remains at the close of the fiscal year ending June 30, ~~2004~~ 2006, shall be
9 transferred forward and made available for any purpose other than Regular
10 Salaries and Maintenance and General Operations for the fiscal year ending
11 June 30, ~~2005~~ 2007. The provisions of this section shall be in effect only
12 from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

13
14 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. "REED ACT
16 FUNDS". ~~Funds made available to the State under Section 903 of the Social
17 Security Act may be used, under the direction of the Employment Security
18 Department with respect to federal fiscal years 2000, 2001, 2002 and 2003
19 solely for the administration of the unemployment compensation program, for
20 the purpose of construction, and improvement of buildings, rent/lease costs,
21 acquisition of land and/or for the payment of salaries, related benefits and
22 maintenance and operation of central and local office staff, or as otherwise
23 prescribed in Section 903 of the Social Security Act, as amended.~~

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

31 The amount obligated pursuant to this Act shall not exceed the amount by
32 which (a) the aggregate of the amounts transferred to the account of this
33 State pursuant to Section 903 of the Social Security Act exceeds (b) the
34 aggregate of the amounts used by this State and charged against the amounts
35 transferred to the account of this State.

36 The provisions of this section shall be in effect only from July 1, ~~2003~~

1 2005 through June 30, ~~2005~~ 2007.

2

3 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
5 ADDITIONAL POSITIONS. The Director of the Employment Security Department,
6 after receiving the approval of the Office of Personnel Management, and after
7 seeking the prior review by the Arkansas Legislative Council, shall have the
8 authority to establish such new or additional full time positions as may
9 become necessary to carry out the objectives of the program and/or to meet
10 Federal requirements of new and/or expanded programs where such needs are
11 financed by federal funds; provided that not more than two hundred persons
12 may be employed in addition to those authorized in the salary schedule and
13 that the rate of pay shall not exceed those set out in the salary schedule
14 for comparable positions as authorized under the provisions of Section 1 of
15 this Act.

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

21

22 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
24 FORWARD. Any balance in the General Revenue funds made available by this Act
25 as matching funds for the Welfare-to-Work Initiative which remains on June
26 30, ~~2004~~ 2006, may be carried forward into the next fiscal year, to be used
27 for the same purpose. The provisions of this section shall be in effect only
28 from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

29

30 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
31 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF
32 APPROPRIATION. Subject to such rules and regulations as may be implemented
33 by the Chief Fiscal Officer of the State and after having sought the prior
34 review by the Arkansas Legislative Council, the Director of the Employment
35 Security Department is hereby authorized to make transfers from any
36 appropriation made by this Act to any other appropriation made by this Act

1 with the exception of the "Reed Act Funds" appropriations set forth in
2 Section 11 of this Act, and of the appropriation made for Regular Salaries or
3 Maintenance and General Operation. Such transfers may be made whenever it
4 appears, by projecting the expenditures of any of the appropriations in this
5 Act, that there will be a deficiency of appropriation in one item and that
6 there will be a corresponding excess of appropriation in another item or
7 items which may be transferred. The transfer of appropriation shall be
8 effected only on approval of the Chief Fiscal Officer of the State. Provided,
9 however, that no transfer of appropriations may be authorized to increase the
10 total amount appropriated for Regular Salaries, or Maintenance and General
11 Operations, except as may be authorized elsewhere by law. The provisions of
12 this section shall be in effect only from July 1, 2005 through June 30, 2007.

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

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

32
33 SECTION 25. EMERGENCY CLAUSE. It is found and determined by the General
34 Assembly, that the Constitution of the State of Arkansas prohibits the
35 appropriation of funds for more than a two (2) year period; that the
36 effectiveness of this Act on July 1, 2005 is essential to the operation of

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

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9 */s/ Joint Budget Committee*

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