

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 H3/18/05 S4/8/05

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

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

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

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

ITEM NO.		FISCAL YEARS	
		2005-2006	2006-2007
(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>

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:

7 ITEM	FISCAL YEARS	
8 <u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
9 (01) REGULAR SALARIES	\$ 52,090	\$ 53,448
10 (02) PERSONAL SERVICES MATCHING	12,623	12,886
11 (03) MAINT. & GEN. OPERATION		
12 (A) OPER. EXPENSE	286,499	286,475
13 (B) CONF. & TRAVEL	0	0
14 (C) PROF. FEES	0	0
15 (D) CAP. OUTLAY	0	0
16 (E) DATA PROC.	<u>0</u>	<u>0</u>
17 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 data processing equipment,
 23 acquisition of land, payment of salaries and related benefits, maintenance
 24 and general operation and for the payment of unemployment insurance benefits,
 25 or as prescribed by the Social Security Act of the Arkansas Employment
 26 Security Department for the biennial period ending June 30, 2007, the sum of
 27\$77,000,000.

28
 29 SECTION 12. APPROPRIATION - ADMINISTRATION BUILDING UPKEEP. There is
 30 hereby appropriated, to the Arkansas Employment Security Department, to be
 31 payable from the Employment Security Special Fund, for maintenance, repairs,
 32 equipment, furnishings, upkeep of the Administration Building and all other
 33 agency owned buildings, and maintenance of adjacent parking areas of the
 34 Arkansas Employment Security Department for the biennial period ending June
 35 30, 2007, the sum of\$455,000.

36

1 SECTION 13. APPROPRIATION - BUILDING AND LAND ACQUISITION. There is hereby
 2 appropriated, to the Arkansas Employment Security Department, to be payable
 3 from the Employment Security Special Fund, for acquisition of buildings,
 4 acquisition of land, construction of buildings, and modification of existing
 5 buildings outside of the Pulaski County area of the Arkansas Employment
 6 Security Department for the biennial period ending June 30, 2007, the sum
 7 of.....\$300,000.

9 SECTION 14. APPROPRIATION - RENT OF BUILDINGS. There is hereby
 10 appropriated, to the Arkansas Employment Security Department, to be payable
 11 from the Employment Security Special Fund, for rent of buildings by the
 12 Arkansas Employment Security Department for the biennial period ending June
 13 30, 2007, the sum of.....\$96,708.

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

21 SECTION 16. APPROPRIATION - COMMUNITY INVESTMENT INITIATIVE. There is
 22 hereby appropriated to the Arkansas Employment Security Department to be
 23 payable from the Temporary Assistance to Needy Families Block Grant funds for
 24 contracts with private or community organizations to offer services as
 25 authorized by the Community Investment Initiative Arkansas Code 20-76-446 for
 26 the biennial period ending June 30, 2007, the following;

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
(01) COMMUNITY INVESTMENT INITIATIVE SERVICES	<u>\$ 2,000,000</u>	<u>\$ 3,000,000</u>

32 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 34 RESTRICTIONS ON FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT INITIATIVE.
 35 Funds appropriated for Community Investment Funds for the fiscal years 2005-
 36 2006 and 2006-2007 (combined) shall be subject to these restrictions in their

1 use for the specified statutory purposes:

2 (1) Improving outcomes for youth (at least \$1,000,000),

3 (2) parenting and family functioning (at least \$500,000),

4 (3) marriage and relationship skills (\$500,000),

5 (4) fatherhood programs (at least \$500,000),

6 (5) family and employment services for ex-offenders (at least \$500,000),

7 and

8 (6) services to child-only TEA cases (at least \$500,000)

9 The provisions of this section shall be in effect only from July 1, 2005
10 through June 30, 2007.

11
12 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

14 SUSPENSION OR REDUCTION OF FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT

15 INITIATIVE. Spending for the Community Investment Initiative can be

16 suspended or reduced if the Director of the Employment Security Department

17 and the Transitional Employment Board certify that

18 a) Funding from the Temporary Assistance to Needy Families block grant is
19 needed to support a critical economic development initiative,

20 b) Other funds from the Temporary Assistance to Needy Families block grant
21 are not available beyond those needed for the operation of the TEA, Work Pays
22 and High Wage Education and Training Programs and for an adequate reserve for
23 possible increases in cash assistance during the current fiscal year, and

24 c) Spending for the economic development initiative is allowable within the
25 federal rules governing the Temporary Assistance to Needy Families Block
26 Grant.

27
28 Certification of these conditions shall be made to the Governor and the Chief
29 Fiscal Officer of the State and notification shall be made to the Legislative
30 Council and the Senate and House Public Health and Welfare Committees.

31
32 If spending on the Community Investment Initiative is reduced, these
33 reductions shall be assessed proportionately to the funds available for each
34 of the six statutory purposes of the Community Investment Initiative.

35 The provisions of this section shall be in effect only from July 1, 2005
36 through June 30, 2007.

1
2 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
4 FORWARD - NEW HIRE REGISTRY. Any balance in the appropriation and funds made
5 available by this Act for the New Hire Registry which remain on June 30, ~~2004~~
6 2006, may be carried forward into the next fiscal year, to be used for the
7 same purpose. The provisions of this section shall be in effect only from
8 July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

9
10 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
12 HELP. There is hereby authorized, for the Employment Security Department for
13 the ~~2003-2005~~ 2005-2007 biennium, the following maximum number of part-time
14 or temporary employees, to be known as "Extra Help", payable from funds
15 appropriated herein for such purposes: four hundred (400) temporary or part-
16 time employees, when needed, at rates of pay not to exceed those provided in
17 the Uniform Classification and Compensation Act, or its successor, for the
18 appropriate classification. Any of these positions utilized in a manner
19 which are funded by federal sources are specifically exempt from limitation
20 of hours, either by Act or Regulation. The provisions of this section shall
21 be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

22
23 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
25 FORWARD. Any unexpended balance of appropriation made by this Act, which
26 remains at the close of the fiscal year ending June 30, ~~2004~~ 2006, shall be
27 transferred forward and made available for any purpose other than Regular
28 Salaries and Maintenance and General Operations for the fiscal year ending
29 June 30, ~~2005~~ 2007. The provisions of this section shall be in effect only
30 from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

31
32 SECTION 22. APPROPRIATION - ARKANSAS TRANSITIONAL EMPLOYMENT PROGRAM
33 OPERATIONS. *There is hereby appropriated, to the Arkansas Employment*
34 *Security Department, to be payable from cash funds as defined by Arkansas*
35 *Code 19-4-801 of the Arkansas Employment Security Department, for personal*
36 *services and operating expenses of the Arkansas Employment Security*

1 Department for the biennial period ending June 30, 2007, the following:

2

ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007
(01) ARKANSAS TRANSITIONAL EMPLOYMENT PROGRAM		
OPERATION	<u>\$100,000,000</u>	<u>\$100,000,000</u>

7

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

18 Funds received by the State ~~on March 13, 2002~~ may be used as specified in
 19 903(d) of the Social Security Act, for the purpose of construction, and
 20 improvement of buildings, rent/lease costs, acquisition of land ~~and/or for~~
 21 the payment of salaries, and related benefits and maintenance and operation
 22 of central and local office staff, maintenance and operation of central and
 23 local offices, payment of unemployment insurance benefits, or as otherwise
 24 prescribed in Section 903 of the Social Security Act, as amended.

25 The amount obligated pursuant to this Act shall not exceed the amount by
 26 which (a) the aggregate of the amounts transferred to the account of this
 27 State pursuant to Section 903 of the Social Security Act exceeds (b) the
 28 aggregate of the amounts used by this State and charged against the amounts
 29 transferred to the account of this State.

30 The provisions of this section shall be in effect only from July 1, 2003
 31 2005 through June 30, ~~2005~~ 2007.

32

33 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 35 ADDITIONAL POSITIONS. The Director of the Employment Security Department,
 36 after receiving the approval of the Office of Personnel Management, and after

1 seeking the prior review by the Arkansas Legislative Council, shall have the
2 authority to establish such new or additional full time positions as may
3 become necessary to carry out the objectives of the program and/or to meet
4 Federal requirements of new and/or expanded programs where such needs are
5 financed by federal funds; provided that not more than two hundred persons
6 may be employed in addition to those authorized in the salary schedule and
7 that the rate of pay shall not exceed those set out in the salary schedule
8 for comparable positions as authorized under the provisions of Section 1 of
9 this Act.

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

15
16 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
18 FORWARD. Any balance in the General Revenue funds made available by this Act
19 as matching funds for the Welfare-to-Work Initiative which remains on June
20 30, ~~2004~~ 2006, may be carried forward into the next fiscal year, to be used
21 for the same purpose. The provisions of this section shall be in effect only
22 from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

23
24 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
25 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF
26 APPROPRIATION. Subject to such rules and regulations as may be implemented
27 by the Chief Fiscal Officer of the State and after having sought the prior
28 review by the Arkansas Legislative Council, the Director of the Employment
29 Security Department is hereby authorized to make transfers from any
30 appropriation made by this Act to any other appropriation made by this Act
31 with the exception of the "Reed Act Funds" appropriations set forth in
32 Section 11 of this Act, and of the appropriation made for Regular Salaries or
33 Maintenance and General Operation. Such transfers may be made whenever it
34 appears, by projecting the expenditures of any of the appropriations in this
35 Act, that there will be a deficiency of appropriation in one item and that
36 there will be a corresponding excess of appropriation in another item or

1 items which may be transferred. The transfer of appropriation shall be
2 effected only on approval of the Chief Fiscal Officer of the State. Provided,
3 however, that no transfer of appropriations may be authorized to increase the
4 total amount appropriated for Regular Salaries, or Maintenance and General
5 Operations, except as may be authorized elsewhere by law. The provisions of
6 this section shall be in effect only from July 1, 2005 through June 30, 2007.

7
8 SECTION 27. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
9 by this act shall be limited to the appropriation for such agency and funds
10 made available by law for the support of such appropriations; and the
11 restrictions of the State Procurement Law, the General Accounting and
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
13 Procedures and Restrictions Act, or their successors, and other fiscal
14 control laws of this State, where applicable, and regulations promulgated by
15 the Department of Finance and Administration, as authorized by law, shall be
16 strictly complied with in disbursement of said funds.

17
18 SECTION 28. LEGISLATIVE INTENT. It is the intent of the General Assembly
19 that any funds disbursed under the authority of the appropriations contained
20 in this act shall be in compliance with the stated reasons for which this act
21 was adopted, as evidenced by the Agency Requests, Executive Recommendations
22 and Legislative Recommendations contained in the budget manuals prepared by
23 the Department of Finance and Administration, letters, or summarized oral
24 testimony in the official minutes of the Arkansas Legislative Council or
25 Joint Budget Committee which relate to its passage and adoption.

26
27 SECTION 29. EMERGENCY CLAUSE. It is found and determined by the General
28 Assembly, that the Constitution of the State of Arkansas prohibits the
29 appropriation of funds for more than a two (2) year period; that the
30 effectiveness of this Act on July 1, 2005 is essential to the operation of
31 the agency for which the appropriations in this Act are provided, and that in
32 the event of an extension of the Regular Session, the delay in the effective
33 date of this Act beyond July 1, 2005 could work irreparable harm upon the
34 proper administration and provision of essential governmental programs.
35 Therefore, an emergency is hereby declared to exist and this Act being
36 necessary for the immediate preservation of the public peace, health and

1 safety shall be in full force and effect from and after July 1, 2005.

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/s/ Joint Budget Committee

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