

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 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H4/15/03
A Bill

HOUSE BILL 1740

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
11 DEPARTMENT OF FINANCE AND ADMINISTRATION -
12 REVENUE SERVICES DIVISION FOR THE BIENNIAL PERIOD
13 ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF FINANCE
17 AND ADMINISTRATION - REVENUE SERVICES
18 DIVISION APPROPRIATION FOR THE 2003-2005
19 BIENNIUM.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. REGULAR SALARIES - REVENUE SERVICES DIVISION. There is hereby
26 established for the Department of Finance and Administration - Revenue
27 Services Division for the 2003-2005 biennium, the following maximum number of
28 regular employees whose salaries shall be governed by the provisions of the
29 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
30 seq.), or its successor, and all laws amendatory thereto. Provided, however,
31 that any position to which a specific maximum annual salary is set out herein
32 in dollars, shall be exempt from the provisions of said Uniform
33 Classification and Compensation Act. All persons occupying positions
34 authorized herein are hereby governed by the provisions of the Regular
35 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
36 successor.



					Maximum Annual	
				Maximum	Salary Rate	
	Item	Class		No. of	Fiscal Years	
	No.	Code	Title	Employees	2003-2004	2004-2005
6	(1)	7160	REV ASST CMSR - POLICY & LEGAL	1	\$91,972	\$94,110
7	(2)	7159	REV ASST CMSR - OPER & ADMIN	1	\$91,972	\$94,110
8	(3)	9942	DFA REVENUE CHIEF COUNSEL	1	\$85,831	\$87,862
9	(4)	9610	DFA STATE REVENUE OFC ADMR	1	\$85,831	\$87,862
10	(5)	9609	DFA TAX ADMINISTRATOR	2	\$85,831	\$87,862
11	(6)	9607	DFA MOTOR VEHICLE ADMR	1	\$85,831	\$87,862
12	(7)	9606	DFA TAX AUDIT ADMR	1	\$85,831	\$87,862
13	(8)	9605	DFA DRIVER LICENSE ADMR	1	\$85,831	\$87,862
14	(9)	R012	ADMINISTRATIVE LAW JUDGE	3	GRADE	26
15	(10)	R038	ATTORNEY SUPERVISOR	2	GRADE	26
16	(11)	073Z	DFA REVENUE TAX DIVISION MANAGER	14	GRADE	25
17	(12)	512Z	DFA REVENUE PROBLEM RESOLUTION OFR	2	GRADE	25
18	(13)	R170	ATTORNEY SPECIALIST	9	GRADE	25
19	(14)	921Z	DFA DIVISION MANAGER III	3	GRADE	24
20	(15)	138Z	DFA DIVISION MANAGER II	7	GRADE	23
21	(16)	167Z	DFA DIVISION MANAGER I	14	GRADE	21
22	(17)	A104	TAX AUDITOR SUPERVISOR	19	GRADE	21
23	(18)	D036	SR PROGRAMMER/ANALYST	1	GRADE	21
24	(19)	A036	FIELD AUDITOR SUPERVISOR	1	GRADE	20
25	(20)	A037	DFA REVENUE DISTRICT MANAGER	5	GRADE	20
26	(21)	A069	DFA TAX ADMIN SECTION SUPERVISOR	4	GRADE	20
27	(22)	A102	TAX AUDITOR II	159	GRADE	20
28	(23)	G026	BLDG AND GROUNDS COORDINATOR	1	GRADE	19
29	(24)	N199	TAXPAYER INFORMATION OFFICER	1	GRADE	19
30	(25)	R204	PARALEGAL/LEGAL ASSISTANT	1	GRADE	19
31	(26)	R424	FAIR HEARING REFEREE	25	GRADE	19
32	(27)	A029	DFA REVENUE SECTION SUPERVISOR	11	GRADE	18
33	(28)	A043	DFA CASHIER SPECIALIST	3	GRADE	18
34	(29)	A071	REVENUE AGENT IV	12	GRADE	18
35	(30)	A111	ACCOUNTANT	12	GRADE	18
36	(31)	A176	DFA REVENUE ASST DIST MANAGER	5	GRADE	18

1	(32)	A192	INCOME TAX AUDITOR	1	GRADE 18
2	(33)	A194	TAX EXAMINER SUPV	8	GRADE 18
3	(34)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
4	(35)	A034	FIELD AUDITOR	4	GRADE 17
5	(36)	A172	REVENUE AGENT III	40	GRADE 17
6	(37)	D061	TELEPROCESSING MONITOR	2	GRADE 17
7	(38)	G161	GENERAL MAINTENANCE REPAIRMAN	7	GRADE 17
8	(39)	R010	ADMINISTRATIVE ASSISTANT II	10	GRADE 17
9	(40)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
10	(41)	A134	TAXPAYER SERVICES REP	155	GRADE 16
11	(42)	R156	REVENUE DEPT SUPERVISOR	32	GRADE 16
12	(43)	X349	TAX INVESTIGATOR	22	GRADE 16
13	(44)	A028	REVENUE AGENT II	28	GRADE 15
14	(45)	A031	DELINQUENT TAX COLLECTOR	3	GRADE 15
15	(46)	A108	ACCOUNTING TECHNICIAN II	14	GRADE 15
16	(47)	A109	TAX EXAMINER II	4	GRADE 15
17	(48)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	15	GRADE 15
18	(49)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
19	(50)	V051	STOREROOM SUPV/STORE SUPV	1	GRADE 15
20	(51)	A027	REVENUE AGENT I	56	GRADE 14
21	(52)	K016	TRANSPORTATION SERVICES REP	176	GRADE 14
22	(53)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	6	GRADE 14
23	(54)	K079	MICRO-PHOTOGRAPHER SUPERVISOR	1	GRADE 14
24	(55)	K117	MEDICAL OR LEGAL SECRETARY	10	GRADE 14
25	(56)	K002	CASHIER III	65	GRADE 13
26	(57)	K153	SECRETARY II	38	GRADE 13
27	(58)	A106	ACCOUNTING TECHNICIAN I	7	GRADE 12
28	(59)	A184	ASST REVENUE AGENT	37	GRADE 12
29	(60)	K039	DOCUMENT EXAMINER II	66	GRADE 12
30	(61)	K145	CASHIER/CASHIER II	226	GRADE 12
31	(62)	K155	SECRETARY I	8	GRADE 11
32	(63)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
33	(64)	K006	DATA ENTRY SPECIALIST	23	GRADE 10
34	(65)	K037	DOCUMENT EXAMINER I	9	GRADE 10
35	(66)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
36	(67)	W023	RECORDS CENTER OPERATOR II	4	GRADE 10

1	(68)	K065	MAIL OFFICER	4	GRADE 09
2	(69)	K182	MAIL PROCESSOR	1	GRADE 08
3	(70)	G169	CUSTODIAL SUPV I	1	GRADE 06
4	(71)	G035	CUSTODIAL WRKR II	<u>11</u>	GRADE 04
5		MAX. NO. OF EMPLOYEES		1,423	

SECTION 2. SUPPLEMENTAL REGULAR SALRIES - REVENUE SERVICES DIVISION. There is hereby established for the Department of Finance and Administration - Revenue Services Division for the 2003-2005 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. This section is supplemental and in addition to the Regular Salaries in SECTION 1 of this Act. These positions are to implement bills pending in the 84th General Assembly and are not to be used if the pending bills do not progress to Act of the 84th General Assembly. The Department will report the use of these positions to the Legislative Council.

MAXIMUM ANNUAL

ITEM	CLASS		MAXIMUM	SALARY RATE
			NO. OF	FISCAL YEARS
<u>NO.</u>	<u>CODE</u>	<u>TITLE</u>	<u>EMPLOYEES</u>	<u>2003-2004 2004-2005</u>
(01)	R170	ATTORNEY SPECIALIST	2	GRADE 25
(02)	R424	FAIR HEARING REFEREE	17	GRADE 19
(03)	A134	TAXPAYER SERVICES REP.	1	GRADE 16
(04)	K039	DOCUMENT EXAMINER II	8	GRADE 12
(05)	K006	DATA ENTRY SPECIALIST	<u>5</u>	GRADE 10
		MAXIMUM NUMBER OF EMPLOYEES	33	

SECTION 3. EXTRA HELP - REVENUE SERVICES DIVISION. There is hereby authorized, for the Department of Finance and Administration - Revenue Services Division for the 2003-2005 biennium, the following maximum number of

1 part-time or temporary employees, to be known as "Extra Help", payable from
 2 funds appropriated herein for such purposes: two hundred twenty five (225)
 3 temporary or part-time employees, when needed, at rates of pay not to exceed
 4 those provided in the Uniform Classification and Compensation Act, or its
 5 successor, or this act for the appropriate classification.

6
 7 *SECTION 4. APPROPRIATION - REVENUE SERVICES DIVISION - OPERATIONS. There*
 8 *is hereby appropriated, to the Department of Finance and Administration -*
 9 *Revenue Services Division, to be payable from the State Central Services*
 10 *Fund, for personal services and operating expenses of the Department of*
 11 *Finance and Administration - Revenue Services Division for the biennial*
 12 *period ending June 30, 2005, the following:*

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
(01) REGULAR SALARIES	\$ 38,715,499	\$ 39,760,817
(02) EXTRA HELP	736,138	736,138
(03) PERSONAL SERV MATCH	11,884,535	12,072,188
(04) OVERTIME	125,000	125,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	19,702,619	19,544,093
(B) CONF. & TRAVEL	157,629	158,129
(C) PROF. FEES	2,098,207	2,113,207
(D) CAP. OUTLAY	413,414	354,250
(E) DATA PROC.	0	0
(06) REFUNDS/REIMBURSEMENTS	<u>250,000</u>	<u>250,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 74,083,041</u>	<u>\$ 75,113,822</u>

27
 28 *SECTION 5. APPROPRIATION - DEPARMENT OF FINANCE AND ADMINISTRATION -*
 29 *MANAGEMENT SERVICES DIVISION. There is hereby appropriated to the Department*
 30 *of Finance and Administration - Management Services Division, to be payable*
 31 *from the State Central Services Fund Account, for the purpose of making data*
 32 *processing services payments for the Department of Finance and Administration*
 33 *- Management Services, for the biennial period ending June 30, 2005, the*
 34 *following:*

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>

1 (01)DATA PROCESSING SERVICES PAYMENTS \$ 521,000 \$ 180,000

2

3 SECTION 6. REGULAR SALARIES - COMMERCIAL DRIVERS LICENSE PROGRAM. There
 4 is hereby established for the Department of Finance and Administration -
 5 Revenue Services Division for the 2003-2005 biennium, the following maximum
 6 number of regular employees whose salaries shall be governed by the
 7 provisions of the Uniform Classification and Compensation Act (Arkansas Code
 8 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
 9 Provided, however, that any position to which a specific maximum annual
 10 salary is set out herein in dollars, shall be exempt from the provisions of
 11 said Uniform Classification and Compensation Act. All persons occupying
 12 positions authorized herein are hereby governed by the provisions of the
 13 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
 14 or its successor.

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Years
				2003-2004
				2004-2005
19	(1)	R010 ADMINISTRATIVE ASSISTANT II	2	GRADE 17
20	(2)	X331 DRIVERS LICENSE HEARING OFFICER II	1	GRADE 17
21	(3)	K016 TRANSPORTATION SERVICES REP	4	GRADE 14
22	(4)	K039 DOCUMENT EXAMINER II	4	GRADE 12
23	MAX. NO. OF EMPLOYEES		11	

24

25 SECTION 7. APPROPRIATION - COMMERCIAL DRIVER'S LICENSE PROGRAM. There is
 26 hereby appropriated, to the Department of Finance and Administration -
 27 Revenue Services Division - Commercial Driver's License Program, to be
 28 payable from the Commercial Driver License Fund, for personal services and
 29 operating expenses of the Department of Finance and Administration - Revenue
 30 Services Division - Commercial Driver's License Program, for the biennial
 31 period ending June 30, 2005, the following:

ITEM	FISCAL YEARS	
NO.	2003-2004	2004-2005
34 (01) REGULAR SALARIES	\$ 265,868	\$ 273,047
35 (02) PERSONAL SERV MATCH	84,604	85,890
36 (03) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	304,736	304,736
2	(B) CONF. & TRAVEL	0	0
3	(C) PROF. FEES	0	0
4	(D) CAP. OUTLAY	0	0
5	(E) DATA PROC.	949,116	949,116
6	(04) LEDBETTER BLDG INFRASTRUCTURE	<u>1,000,000</u>	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,604,324</u>	<u>\$ 1,612,789</u>

8

9 SECTION 8. APPROPRIATION - INDIVIDUAL INCOME TAX AND AD VALOREM PROPERTY
 10 TAX REBATES. There is hereby appropriated, to the Department of Finance and
 11 Administration - Revenue Services Division, to be payable from the Individual
 12 Income Tax Withholding Fund, for the purpose of making individual income tax
 13 refunds of taxes withheld under the provisions of Arkansas Code beginning at
 14 26-51-901 and property tax rebates under Amendment 79 of the Arkansas
 15 Constitution by the Department of Finance and Administration - Revenue
 16 Services Division for the biennial period ending June 30, 2005, the
 17 following:

18	ITEM	FISCAL YEARS	
19	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
20	(01) INDIVIDUAL INCOME TAX AND AD VALOREM		
21	PROPERTY TAX REBATES REFUNDS/		
22	REIMBURSEMENTS	<u>\$ 580,000,000</u>	<u>\$ 580,000,000</u>

23

24 SECTION 9. APPROPRIATION - CORPORATE INCOME TAX. There is hereby
 25 appropriated, to the Department of Finance and Administration - Revenue
 26 Services Division, to be payable from the Corporate Income Tax Withholding
 27 Fund, for the purpose of making corporate tax refunds of taxes withheld under
 28 the provisions of Arkansas Code 26-51-901 by the Department of Finance and
 29 Administration - Revenue Services Division for the biennial period ending
 30 June 30, 2005, the following:

31	ITEM	FISCAL YEARS	
32	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
33	(01) COPORATE INCOME TAX		
34	REFUNDS/REIMBURSEMENTS	<u>\$ 60,000,000</u>	<u>\$ 65,000,000</u>

35

36 SECTION 10. APPROPRIATION - PROPERTY TAX RELIEF. There is hereby

1 appropriated, to the Department of Finance and Administration - Revenue
 2 Services Division, to be payable from the Home Owners Tax Relief Fund, for
 3 the purpose of making tax refunds of taxes withheld by the Department of
 4 Finance and Administration - Revenue Services Division for the biennial
 5 period ending June 30, 2005, the following:

6 ITEM	FISCAL YEARS	
7 <u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
8 (01) HOME OWNERS TAX RELIEF		
9 REFUNDS/REIMBURSEMENTS	<u>\$ 29,000,000</u>	<u>\$ 29,000,000</u>

10

11 *SECTION 11. APPROPRIATION - GASOLINE TAX REFUNDS.* There is hereby
 12 appropriated, to the Department of Finance and Administration - Revenue
 13 Services Division, to be payable from the Gasoline Tax Refund Fund, for
 14 paying the valid gasoline tax refund claims of agricultural users and bus
 15 drivers in the manner and to the extent provided by law of the Department of
 16 Finance and Administration - Revenue Services Division for the biennial
 17 period ending June 30, 2005, the following:

18

19 ITEM	FISCAL YEARS	
20 <u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
21 (01) GASOLINE TAX REFUND CLAIMS	<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>

22

23 *SECTION 12. APPROPRIATION - INTERSTATE MOTOR FUEL TAX REFUNDS.* There is
 24 hereby appropriated, to the Department of Finance and Administration -
 25 Revenue Services Division, to be payable from the Interstate Motor Fuel Tax
 26 Refund Fund, for paying refunds to interstate users of motor fuels and
 27 special motor fuels as authorized by law of the Department of Finance and
 28 Administration - Revenue Services Division for the biennial period ending
 29 June 30, 2005, the following:

30

30 ITEM	FISCAL YEARS	
31 <u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
32 (01) INTERSTATE MOTOR FUEL TAX		
33 REFUNDS/REIMBURSEMENTS	<u>\$ 12,000,000</u>	<u>\$ 12,000,000</u>

34

35 *SECTION 13. APPROPRIATION - MISCELLANEOUS TAX REFUNDS.* There is hereby
 36 appropriated, to the Department of Finance and Administration - Revenue

1 Services Division, to be payable from the Miscellaneous Revolving Fund, for
 2 making refunds of taxes erroneously paid and for refunds of the gross
 3 receipts taxes paid upon tickets to athletic events pursuant to Arkansas Code
 4 26-52-511 and for other purposes as authorized by law of the Department of
 5 Finance and Administration - Revenue Services Division for the biennial
 6 period ending June 30, 2005, the following:

7

ITEM	FISCAL YEARS	
NO.	2003-2004	2004-2005
(01) MISCELLANEOUS TAX		
REFUNDS/REIMBURSEMENTS	<u>\$ 40,000,000</u>	<u>\$ 40,000,000</u>

12

13 *SECTION 14. APPROPRIATIONS - ABC PERMITS/DRIVER SEARCH FEES.* There is
 14 hereby appropriated, to the Department of Finance and Administration -
 15 Revenue Services Division, to be payable from cash funds as defined by
 16 Arkansas Code 19-4-801 of the Department of Finance and Administration -
 17 Revenue Services Division, for making refunds of the driver search fees and
 18 alcoholic beverage control permits and licenses of the Department of Finance
 19 and Administration - Revenue Services Division for the biennial period ending
 20 June 30, 2005, the following:

21

ITEM	FISCAL YEARS	
NO.	2003-2004	2004-2005
(01) ABC PERMITS AND DRIVER SEARCH FEE		
REFUNDS	<u>\$ 1,737,000</u>	<u>\$ 1,737,000</u>

25

26 *SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
 27 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*
 28 *APPROPRIATION TRANSFERS.* The Director of the Department of Finance and
 29 Administration is authorized to transfer appropriation between refund line
 30 item appropriations in this Act. The Director of the Department of Finance
 31 and Administration shall immediately report any such transfers to the
 32 Arkansas Legislative Council. Such report shall contain the amounts
 33 transferred and the reasons for the same. The provisions of this section
 34 shall be in effect only from ~~July 1, 2001~~ July 1, 2003 through ~~June 30, 2003~~
 35 June 30, 2005.

36

1 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 3 HELP EXEMPTION. Extra Help positions authorized herein are specifically
 4 exempt from limitation of hours, either by act or regulation. Provided,
 5 however, when a temporary or part-time employee is employed by the Department
 6 of Finance and Administration - Revenue Services for a period of time
 7 exceeding seven (7) months, a report of such shall be filed with the Arkansas
 8 Legislative Council.

9 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 10 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

11
 12 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
 14 RATES OF PAY. Due to the highly competitive job market conditions for tax
 15 professionals and the necessity of recruiting and retaining qualified
 16 personnel, the Revenue Division is authorized special rates of pay for
 17 current and new employees in the classification listed under subsection (a)
 18 below.

19 (a) Special rates may be authorized up to the maximum authorized for the
 20 grade assigned the classification of a position for the following specific
 21 classifications only:

22 CLASS

23 CODE	TITLE	GRADE
24 A104	Tax Auditor Supervisor	21
25 A102	Tax Auditor II	20
26 A100	Tax Auditor I	18
27 A105	Tax Auditor Trainee	17
28 R038	Attorney Supervisor	26
29 R170	Attorney Specialist	25
30 R036	Attorney	24

31 (b) A plan for providing special rates of pay indicated in subsection (a)
 32 shall be reviewed by and approved by the Office of Personnel Management and
 33 receive advice of the Legislative Council each year.

34 (c) This provision shall be in full force and effect for the biennium
 35 beginning ~~July 1, 2001~~ July 1, 2003, and ending ~~June 30, 2003~~ June 30, 2005.

36

1 *SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
2 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY*
3 *FORWARD - COMMERCIAL DRIVERS LICENSE PROGRAM. The unexpended balances in the*
4 *appropriations provided ~~in Item (04) of~~ for Ledbetter Building Infrastructure*
5 *in Section 7 remaining on ~~June 30, 2002~~ June 30, 2004, may be carried forward*
6 *and used for the same purpose during the fiscal year ending ~~June 30, 2003~~*
7 *June 30, 2005. The provisions of this section shall be in effect only from*
8 *~~July 1, 2001~~ July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.*

9
10 *SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
11 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND*
12 *BALANCES. COMMERCIAL DRIVER LICENSE FUND (A) For all appropriations as*
13 *provided in this Act, the agency disbursing officer shall monitor the level*
14 *of fund balances in relation to expenditures on a monthly basis. If any*
15 *proposed expenditures would cause the COMMERCIAL DRIVER LICENSE FUND to*
16 *decline below One Million, One Hundred Twenty-nine Thousand, Six Hundred*
17 *dollars (\$1,129,600) ~~a fund balance to decline to less than fifty percent~~*
18 *~~(50%) of the balance available on July 1, 2001~~ July 1, 2003, the disbursing*
19 *officer shall immediately notify the executive head of the agency. Prior to*
20 *any obligations being made under these circumstances, the agency head shall*
21 *file written documentation with the Chief Fiscal Officer of the State*
22 *requesting approval of the expenditures. Such documentation shall provide*
23 *sufficient financial data to justify the expenditures and shall include the*
24 *following:*

- 25 1) a plan that clearly indicates the specific fiscal impact of such
26 expenditures on the fund balance.
27 2) information clearly indicating and explaining what programs would be cut
28 or any other measures to be taken by the agency to restore the fund balance.
29 3) the extent to which any of the planned expenditures are for one-time costs
30 or one-time purchase of capitalized items.
31 4) a statement certifying that the expenditure of fund balances will not
32 jeopardize the financial health of the agency, nor result in a permanent
33 depletion of the fund balance.

34 (B) The Chief Fiscal Officer of the State shall review the request and
35 approve or disapprove all or any part of the request, after having sought
36 prior review by the Legislative Council.

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SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CONTINGENT POSITIONS. There is hereby established for the Department of Finance and Administration - Revenue Division - Contingent Positions for the 2003 – 2005 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. 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.

CONTINGENT POSITIONS – DATA ENTRY

ITEM NO.	CLASS CODE	TITLE	MAXIMUM NO. OF EMPLOYEES	MAXIMUM ANNUAL SALARY RATE	
				FISCAL YEARS 2003-04	2004-05
(1)	R156	REVENUE DEPT SUPERVISOR	2	GRADE 16	
(2)	K039	DOCUMENT EXAMINER II	8	GRADE 12	
(3)	K006	DATA ENTRY SPECIALIST	<u>40</u>	GRADE 10	
		MAX CONTINGENT EMPLOYEES	50		

If it has been determined by the Director of the Department of Finance and Administration that the Department cannot continue a contract with a private provider and the Director deems it necessary to utilize Department staff to provide the required services, the Department is allowed, after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, to utilize the contingent positions for data entry contained in *Section 20* of this Act and make the appropriate transfers from the various Maintenance and Operations, Professional Fees and Services or Data Processing line items contained in *Section 3* of this Act to Regular Salaries and Personal Services Matching.

SECTION 21. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

1 Procedures and Restrictions Act, or their successors, and other fiscal
2 control laws of this State, where applicable, and regulations promulgated by
3 the Department of Finance and Administration, as authorized by law, shall be
4 strictly complied with in disbursement of said funds.

5
6 *SECTION 22. LEGISLATIVE INTENT.* It is the intent of the General Assembly
7 that any funds disbursed under the authority of the appropriations contained
8 in this act shall be in compliance with the stated reasons for which this act
9 was adopted, as evidenced by the Agency Requests, Executive Recommendations
10 and Legislative Recommendations contained in the budget manuals prepared by
11 the Department of Finance and Administration, letters, or summarized oral
12 testimony in the official minutes of the Arkansas Legislative Council or
13 Joint Budget Committee which relate to its passage and adoption.

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15 *SECTION 23. EMERGENCY CLAUSE.* It is found and determined by the General
16 Assembly, that the Constitution of the State of Arkansas prohibits the
17 appropriation of funds for more than a two (2) year period; that the
18 effectiveness of this Act on July 1, 2003 is essential to the operation of
19 the agency for which the appropriations in this Act are provided, and that in
20 the event of an extension of the Regular Session, the delay in the effective
21 date of this Act beyond July 1, 2003 could work irreparable harm upon the
22 proper administration and provision of essential governmental programs.
23 Therefore, an emergency is hereby declared to exist and this Act being
24 necessary for the immediate preservation of the public peace, health and
25 safety shall be in full force and effect from and after July 1, 2003.

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27 */s/ Joint Budget Committee*
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