

1 State of Arkansas
2 93rd General Assembly
3 Fiscal Session, 2022
4

As Engrossed: H3/2/22

A Bill

HOUSE BILL 1028

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF FINANCE
10 AND ADMINISTRATION - REGULATORY DIVISION FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2023; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF FINANCE AND
16 ADMINISTRATION - REGULATORY DIVISION
17 APPROPRIATION FOR THE 2022-2023 FISCAL
18 YEAR.
19
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21

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

24 SECTION 1. REGULAR SALARIES - REGULATORY DIVISION. There is hereby
25 established for the Department of Finance and Administration - Regulatory
26 Division for the 2022-2023 fiscal year, the following maximum number of
27 regular employees.
28

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2022-2023
33	(1)	G305C DFA REGULATORY ADMINISTRATOR	1	GRADE SE02
34	(2)	G280C DFA REGULATORY ASST ADMIN-ENFORCEMENT	2	GRADE GS15
35	(3)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
36	(4)	A007C AUDIT MANAGER	1	GRADE GS11



1	(5)	G246C DFA REGULATORY BRANCH MANAGER	1	GRADE GS10
2	(6)	T108C DFA REGULATORY BRANCH SUPERVISOR	1	GRADE GS09
3	(7)	X196C DFA SR REGULATORY ENFORCEMENT AGENT	8	GRADE GS08
4	(8)	A060C SENIOR AUDITOR	2	GRADE GS08
5	(9)	X131C DFA REGULATORY ENFORCEMENT AGENT	33	GRADE GS07
6	(10)	C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
7	(11)	R027C BUDGET SPECIALIST	1	GRADE GS06
8	(12)	T061C SENIOR IA	1	GRADE GS06
9	(13)	E046C TRAINING INSTRUCTOR	1	GRADE GS06
10	(14)	C056C ADMINISTRATIVE SPECIALIST III	<u>2</u>	GRADE GS04
11		MAX. NO. OF EMPLOYEES	57	

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13 SECTION 2. APPROPRIATION - REGULATORY DIVISION. There is hereby
 14 appropriated, to the Department of Finance and Administration, to be payable
 15 from the Miscellaneous Agencies Fund Account, for personal services and
 16 operating expenses of the Department of Finance and Administration -
 17 Regulatory Division for the fiscal year ending June 30, 2023, the following:

18

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2022-2023</u>
21	(01) REGULAR SALARIES	\$1,921,312
22	(02) PERSONAL SERVICES MATCHING	645,338
23	(03) OVERTIME	10,000
24	(04) MAINT. & GEN. OPERATION	
25	(A) OPER. EXPENSE	294,918
26	(B) CONF. & TRAVEL	25,000
27	(C) PROF. FEES	5,000
28	(D) CAP. OUTLAY	0
29	(E) DATA PROC.	<u>0</u>
30	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,901,568</u></u>

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32 SECTION 3. APPROPRIATION - REGULATORY DIVISION - SALES TO MINORS
 33 ENFORCEMENT - CASH. There is hereby appropriated, to the Department of
 34 Finance and Administration, to be payable from the cash fund deposited in the
 35 State Treasury as determined by the Chief Fiscal Officer of the State, for
 36 personal services, operating expenses, and the purchase of promotional items

1 of the Department of Finance and Administration - Regulatory Division - Sales
 2 to Minors Enforcement - Cash for the fiscal year ending June 30, 2023, the
 3 following:

4	5 ITEM	6 FISCAL YEAR
7	8 NO.	9 2022-2023
10	(01) REGULAR SALARIES	\$567,087
11	(02) PERSONAL SERVICES MATCHING	196,364
12	(03) OVERTIME	5,000
13	(04) MAINT. & GEN. OPERATION	
14	(A) OPER. EXPENSE	332,072
15	(B) CONF. & TRAVEL	0
16	(C) PROF. FEES	1,700
17	(D) CAP. OUTLAY	0
18	(E) DATA PROC.	0
19	(05) PROMOTIONAL ITEMS	<u>5,000</u>
20	TOTAL AMOUNT APPROPRIATED	<u>\$1,107,223</u>

21 SECTION 4. APPROPRIATION - REGULATORY DIVISION - TOBACCO INSPECTION
 22 PROGRAM - FEDERAL. There is hereby appropriated, to the Department of
 23 Finance and Administration, to be payable from the federal funds as
 24 designated by the Chief Fiscal Officer of the State, for personal services
 25 and operating expenses of the Department of Finance and Administration -
 26 Regulatory Division - Tobacco Inspection Program - Federal for the fiscal
 27 year ending June 30, 2023, the following:

28	29 ITEM	30 FISCAL YEAR
31	32 NO.	33 2022-2023
34	(01) REGULAR SALARIES	\$336,944
35	(02) PERSONAL SERVICES MATCHING	118,717
36	(03) OVERTIME	17,041
	(04) MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	150,000
	(B) CONF. & TRAVEL	5,000
	(C) PROF. FEES	31,242
	(D) CAP. OUTLAY	0

1	(E) DATA PROC.	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$658,944</u></u>

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4 SECTION 5. APPROPRIATION - REGULATORY DIVISION - CIGARETTE FIRE SAFETY.

5 There is hereby appropriated, to the Department of Finance and
6 Administration, to be payable from the Cigarette Fire Safety Standard Fund,
7 for personal services and operating expenses to support fire safety and
8 prevention programs of the Department of Finance and Administration -
9 Regulatory Division - Cigarette Fire Safety for the fiscal year ending June
10 30, 2023, the following:

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12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2022-2023</u>
14	(01) FIRE SAFETY & PREVENTION	<u><u>\$50,000</u></u>

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16 SECTION 6. APPROPRIATION - REGULATORY DIVISION - SPIRITUOUS AND VINOUS

17 BEVERAGES. There is hereby appropriated, to the Department of Finance and
18 Administration, to be payable from the Alcoholic Beverage Control Fund, for
19 promotion, education, training, alcohol safety awareness, enforcement
20 activities, equipment and vehicle purchases of the Department of Finance and
21 Administration - Regulatory Division for the fiscal year ending June 30,
22 2023, the following:

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24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2022-2023</u>
26	(01) PROMOTION, EDUCATION, TRAINING, SAFETY	
27	AWARENESS ENROLLMENT	<u><u>\$300,000</u></u>

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29 SECTION 7. APPROPRIATION - REGULATORY DIVISION - REVENUE ENFORCEMENT.

30 There is hereby appropriated, to the Department of Finance and Administration
31 - Regulatory Division - Revenue Enforcement, to be payable from the Arkansas
32 Tobacco Control Revenue Fund, for personal services and operating expenses
33 related to carrying out the purposes authorized in 19-6-831 for the fiscal
34 year ending June 30, 2023, the following:

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36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2022-2023</u>
2	(01) REGULAR SALARIES	\$143,170
3	(02) PERSONAL SERVICES MATCHING	50,295
4	(03) OVERTIME	5,000
5	(04) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	92,817
7	(B) CONF. & TRAVEL	5,000
8	(C) PROF. FEES	500
9	(D) CAP. OUTLAY	22,000
10	(E) DATA PROC.	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u><u>\$318,782</u></u>

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13 SECTION 8. REGULAR SALARIES - ABC ADMINISTRATION. There is hereby
 14 established for the Department of Finance and Administration - Alcoholic
 15 Beverage Control Administration for the 2022-2023 fiscal year, the following
 16 maximum number of regular employees.

17

18			Maximum Annual
19		Maximum	Salary Rate
20	Item Class	No. of	Fiscal Year
21	<u>No. Code Title</u>	<u>Employees</u>	<u>2022-2023</u>
22	(1) G279C DFA REG ASST ADMIN-ADMINISTRATION	1	GRADE GS15
23	(2) G047C ATTORNEY SPECIALIST	3	GRADE GS11
24	(3) C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
25	(4) C056C ADMINISTRATIVE SPECIALIST III	1	GRADE GS04
26	(5) C046C LEGAL SUPPORT SPECIALIST	4	GRADE GS04
27	(6) C073C ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE GS03
28	MAX. NO. OF EMPLOYEES	12	

29

30 SECTION 9. EXTRA HELP - ABC ADMINISTRATION. There is hereby
 31 authorized, for the Department of Finance and Administration - Alcoholic
 32 Beverage Control Administration for the 2022-2023 fiscal year, the following
 33 maximum number of part-time or temporary employees, to be known as "Extra
 34 Help", payable from funds appropriated herein for such purposes: two (2)
 35 temporary or part-time employees, when needed, at rates of pay not to exceed
 36 those provided in the Uniform Classification and Compensation Act, or its

1 successor, or this act for the appropriate classification.

2

3 SECTION 10. APPROPRIATION - ABC ADMINISTRATION - STATE OPERATIONS.

4 There is hereby appropriated, to the Department of Finance and
 5 Administration, to be payable from the Miscellaneous Agencies Fund Account,
 6 for personal services and operating expenses of the Department of Finance and
 7 Administration - Alcoholic Beverage Control Division for the fiscal year
 8 ending June 30, 2023, the following:

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10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2022-2023</u>
12 (01) REGULAR SALARIES	\$625,966
13 (02) EXTRA HELP	7,000
14 (03) PERSONAL SERVICES MATCHING	212,341
15 (04) MAINT. & GEN. OPERATION	
16 (A) OPER. EXPENSE	122,009
17 (B) CONF. & TRAVEL	4,986
18 (C) PROF. FEES	5,000
19 (D) CAP. OUTLAY	0
20 (E) DATA PROC.	<u>0</u>
21 TOTAL AMOUNT APPROPRIATED	<u><u>\$977,302</u></u>

22

23 SECTION 11. APPROPRIATION - ABC ADMINISTRATION - MEDICAL MARIJUANA

24 COMMISSION. There is hereby appropriated, to the Department of Finance and
 25 Administration, to be payable from the Medical Marijuana Commission Fund, for
 26 refunds, reimbursements and contingency related to agency medical marijuana
 27 expenses of the Department of Finance and Administration - Alcoholic Beverage
 28 Control Division for the fiscal year ending June 30, 2023, the following:

29

30 ITEM	FISCAL YEAR
31 <u>NO.</u>	<u>2022-2023</u>
32 (01) REFUNDS/REIMBURSEMENTS	\$500,000
33 (02) CONTINGENCY	<u>2,000,000</u>
34 TOTAL AMOUNT APPROPRIATED	<u><u>\$2,500,000</u></u>

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36 SECTION 12. REGULAR SALARIES - RACING COMMISSION. There is hereby

1	(01)	REGULAR SALARIES	\$773,781
2	(02)	EXTRA HELP	460,000
3	(03)	PERSONAL SERVICES MATCHING	331,868
4	(04)	OVERTIME	10,000
5	(05)	MAINT. & GEN. OPERATION	
6	(A)	OPER. EXPENSE	290,914
7	(B)	CONF. & TRAVEL	7,500
8	(C)	PROF. FEES	50,000
9	(D)	CAP. OUTLAY	0
10	(E)	DATA PROC.	<u>0</u>
11		TOTAL AMOUNT APPROPRIATED	<u>\$1,924,063</u>

12

13 SECTION 15. APPROPRIATION - RACING COMMISSION - CASH OPERATIONS. There
 14 is hereby appropriated, to the Department of Finance and Administration, to
 15 be payable from the cash fund deposited in the State Treasury as determined
 16 by the Chief Fiscal Officer of the State, for personal services and operating
 17 expenses of the Department of Finance and Administration - Racing Commission
 18 for the fiscal year ending June 30, 2023, the following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2022-2023</u>
22	(01) EXTRA HELP	\$65,000
23	(02) PERSONAL SERVICES MATCHING	14,991
24	(03) MAINT. & GEN. OPERATION	
25	(A) OPER. EXPENSE	231,000
26	(B) CONF. & TRAVEL	5,000
27	(C) PROF. FEES	0
28	(D) CAP. OUTLAY	0
29	(E) DATA PROC.	0
30	(04) REFUND/REIMBURSEMENTS	<u>5,000</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$320,991</u>

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33 SECTION 16. APPROPRIATION - RACING COMMISSION - PURSES AND AWARDS
 34 TRANSFERS. There is hereby appropriated, to the Department of Finance and
 35 Administration - Racing Commission, to be payable from the cash fund
 36 deposited in the State Treasury as determined by the Chief Fiscal Officer of

1 the State, for the transfers to the Department of Finance and Administration
2 - Racing Commission Purses and Awards Fund for the fiscal year ending June
3 30, 2023, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(01) REFUNDS/INVESTMENTS/TRANSFERS	<u>\$25,000,000</u>

9 SECTION 17. APPROPRIATION - RACING COMMISSION - COMPULSIVE GAMBLING
10 DISORDER TREATMENT/EDUCATIONAL PROGRAMS. There is hereby appropriated, to
11 the Department of Finance and Administration, to be payable from the
12 Miscellaneous Agencies Fund Account, for compulsive gambling disorder
13 treatment and educational programs as defined by Amendment 100 to the
14 Arkansas Constitution for the Department of Finance and Administration -
15 Racing Commission for the fiscal year ending June 30, 2023, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(01) GAMBLING ADDICTION TREATMENT AND EDUCATION PROGRAMS	<u>\$200,000</u>

22 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
23 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW.
24 ASSESSMENT OF VEHICLES. (a) For purposes of assessing the value of a used
25 vehicle:

26 (1) If a used vehicle was assessed in calendar year 2020
27 and is assessed in calendar year 2022, the value of the used vehicle as
28 assessed in calendar year 2022 shall not be higher than its published
29 assessed value in calendar year 2020; and

30 (2) If under subdivision (a)(1), a used vehicle's 2022
31 assessed value is decreased, then a county assessor is not required to notify
32 the taxpayer of the decrease in the assessed value.

33 (b) Subsection (a) of this section shall be in effect only from
34 the effective date of this section through December 31, 2023.

36 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ABC
2 ADMINISTRATION - CONTINGENCY APPROPRIATION TRANSFER AUTHORITY. The Chief
3 Fiscal Officer of the State shall transfer appropriation as needed from the
4 Contingency Appropriation authorized in this Act to the Alcoholic Beverage
5 Control Division of the Department of Finance and Administration, the
6 Department of Health and/or any other state agency incurring expenses for the
7 implementation, administration, or enforcement of the Arkansas Medical
8 Marijuana Amendment of 2016, to pay for personal services, operating
9 expenses, professional fees, equipment, monitoring, auditing, and other
10 miscellaneous expenses.

11 The provisions of this section shall be in effect only from July 1, ~~2021~~
12 2022 through June 30, ~~2022~~ 2023.

13
14 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DIVISION
16 OF RACING - EXTRA HELP. There is hereby authorized, for the Department of
17 Finance and Administration - Division of Racing for the ~~2021-2022~~ 2022-2023
18 fiscal year, the maximum number of thirty-one (31) part-time or temporary
19 employees, to be known as "Extra Help", payable from funds appropriated
20 herein for such purposes, such employees shall be authorized to work over
21 1,000 hours per year.

22 The provisions of this section shall be in effect only from July 1, ~~2021~~
23 2022 through June 30, ~~2022~~ 2023.

24
25 SECTION 21. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
26 authorized by this act shall be limited to the appropriation for such agency
27 and funds made available by law for the support of such appropriations; and
28 the restrictions of the State Procurement Law, the General Accounting and
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
30 Procedures and Restrictions Act, or their successors, and other fiscal
31 control laws of this State, where applicable, and regulations promulgated by
32 the Department of Finance and Administration, as authorized by law, shall be
33 strictly complied with in disbursement of said funds.

34
35 SECTION 22. LEGISLATIVE INTENT. It is the intent of the General
36 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for
2 which this act was adopted, as evidenced by the Agency Requests, Executive
3 Recommendations and Legislative Recommendations contained in the budget
4 manuals prepared by the Department of Finance and Administration, letters, or
5 summarized oral testimony in the official minutes of the Arkansas Legislative
6 Council or Joint Budget Committee which relate to its passage and adoption.

7
8 SECTION 23. EFFECTIVE DATE. Sections 1-17 and 19-22 are effective on
9 and after July 1, 2022.

10
11 SECTION 24. EMERGENCY CLAUSE. It is found and determined by the
12 General Assembly of the State of Arkansas that coronavirus 2019 (COVID-19)
13 created significant financial and economic burdens on many Arkansans; that
14 one such burden is the extraordinarily high rate of inflation, which is
15 increasingly eroding Arkansans' buying power; that another such burden is
16 artificially inflated values of used vehicles due, in part, to supply-chain
17 issues associated with new production; that the artificially inflated value
18 of used goods is causing some Arkansans, whose buying power has already been
19 eroded, to pay higher personal property taxes than they have in prior years
20 on the same used vehicles; and that Section 18 of this act is immediately
21 necessary to mitigate the foregoing financial and economic burdens.
22 Therefore, an emergency is declared to exist, and Section 18 of this act
23 being immediately necessary for the preservation of the public peace, health,
24 and safety shall become effective on:

25 (1) The date of its approval by the Governor;

26 (2) If the bill is neither approved nor vetoed by the Governor,
27 the expiration of the period of time during which the Governor may veto the
28 bill; or

29 (3) If the bill is vetoed by the Governor and the veto is
30 overridden, the date the last house overrides the veto.

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32 /s/Joint Budget Committee
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