

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H2/4/21

A Bill

HOUSE BILL 1072

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, 2022; 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 2021-2022 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 2021-2022 fiscal year, the following maximum number of
27 regular employees.
28

Item	Class	No.	Title	Maximum	No. of	Maximum Annual
						Salary Rate
						Fiscal Year
						2021-2022
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, 2022, the following:

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19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2021-2022</u>
21	(01) REGULAR SALARIES	\$1,920,212
22	(02) PERSONAL SERVICES MATCHING	644,878
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>\$2,900,008</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, 2022, the
 3 following:

4	5 ITEM	6 FISCAL YEAR
7	8 NO.	9 2021-2022
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, 2022, the following:

28	29 ITEM	30 FISCAL YEAR
31	32 NO.	33 2021-2022
34	(01) REGULAR SALARIES	\$336,944
35	(02) PERSONAL SERVICES MATCHING	118,717
36	(03) OVERTIME	17,041
37	(04) MAINT. & GEN. OPERATION	
38	(A) OPER. EXPENSE	150,000
39	(B) CONF. & TRAVEL	5,000
40	(C) PROF. FEES	31,242
41	(D) CAP. OUTLAY	0

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

3

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, 2022, the following:

11

12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2021-2022</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 2022, the following:

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24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2021-2022</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, 2022, the following:

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36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2021-2022</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 2021-2022 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>2021-2022</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 2021-2022 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, 2022, the following:

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10	ITEM	FISCAL YEAR
11	<u>NO.</u>	<u>2021-2022</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, 2022, the following:

29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2021-2022</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	\$772,781
2	(02) EXTRA HELP	460,000
3	(03) PERSONAL SERVICES MATCHING	331,620
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><u>\$1,922,815</u></u>

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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, 2022, the following:

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20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2021-2022</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><u>\$320,991</u></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, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REFUNDS/INVESTMENTS/TRANSFERS	<u>\$25,000,000</u>

8
 9 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ABC
 11 ADMINISTRATION - CONTINGENCY APPROPRIATION TRANSFER AUTHORITY. The Chief
 12 Fiscal Officer of the State shall transfer appropriation as needed from the
 13 Contingency Appropriation authorized in this Act to the Alcoholic Beverage
 14 Control Division of the Department of Finance and Administration, the
 15 Department of Health and/or any other state agency incurring expenses for the
 16 implementation, administration, or enforcement of the Arkansas Medical
 17 Marijuana Amendment of 2016, to pay for personal services, operating
 18 expenses, professional fees, equipment, monitoring, auditing, and other
 19 miscellaneous expenses.

20 The provisions of this section shall be in effect only from July 1, ~~2020~~
 21 2021 through June 30, ~~2021~~ 2022.

22
 23 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DIVISION
 25 OF RACING - EXTRA HELP. There is hereby authorized, for the Department of
 26 Finance and Administration - Division of Racing for the ~~2020-2021~~ 2021-2022
 27 fiscal year, the maximum number of thirty-one (31) part-time or temporary
 28 employees, to be known as "Extra Help", payable from funds appropriated
 29 herein for such purposes, such employees shall be authorized to work over
 30 1,000 hours per year.

31 The provisions of this section shall be in effect only from July 1, ~~2020~~
 32 2021 through June 30, ~~2021~~ 2022.

33
 34 SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 35 authorized by this act shall be limited to the appropriation for such agency
 36 and funds made available by law for the support of such appropriations; and

1 the restrictions of the State Procurement Law, the General Accounting and
2 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
3 Procedures and Restrictions Act, or their successors, and other fiscal
4 control laws of this State, where applicable, and regulations promulgated by
5 the Department of Finance and Administration, as authorized by law, shall be
6 strictly complied with in disbursement of said funds.

7
8 SECTION 20. LEGISLATIVE INTENT. It is the intent of the General
9 Assembly that any funds disbursed under the authority of the appropriations
10 contained in this act shall be in compliance with the stated reasons for
11 which this act was adopted, as evidenced by the Agency Requests, Executive
12 Recommendations and Legislative Recommendations contained in the budget
13 manuals prepared by the Department of Finance and Administration, letters, or
14 summarized oral testimony in the official minutes of the Arkansas Legislative
15 Council or Joint Budget Committee which relate to its passage and adoption.

16
17 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the
18 General Assembly, that the Constitution of the State of Arkansas prohibits
19 the appropriation of funds for more than a one (1) year period; that the
20 effectiveness of this Act on July 1, 2021 is essential to the operation of
21 the agency for which the appropriations in this Act are provided, and that in
22 the event of an extension of the legislative session, the delay in the
23 effective date of this Act beyond July 1, 2021 could work irreparable harm
24 upon the proper administration and provision of essential governmental
25 programs. Therefore, an emergency is hereby declared to exist and this Act
26 being necessary for the immediate preservation of the public peace, health
27 and safety shall be in full force and effect from and after July 1, 2021.

28
29 /s/Joint Budget Committee

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32 **APPROVED: 4/21/21**