

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 86th General Assembly  
3 Regular Session, 2007  
4

*As Engrossed: H3/15/07 H3/21/07*

# A Bill

HOUSE BILL 1254

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, 2009; 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 2007-2009  
19 BIENNIUM.  
20  
21

22  
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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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 2007-2009 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	Maximum Annual	
				No. of	Salary Rate	
	Item	Class			Fiscal Years	
	No.	Code	Title	Employees	2007-2008	2008-2009
6	(1)	7160	REV ASST CMSR - POLICY & LEGAL	1	\$100,762	\$102,777
7	(2)	7159	REV ASST CMSR - OPER & ADMIN	1	\$100,762	\$102,777
8	(3)	9942	DFA REVENUE CHIEF COUNSEL	1	\$94,188	\$96,071
9	(4)	9610	DFA STATE REVENUE OFC ADMR	1	\$94,188	\$96,071
10	(5)	9609	DFA TAX ADMINISTRATOR	2	\$94,188	\$96,071
11	(6)	9607	DFA MOTOR VEHICLE ADMR	1	\$94,188	\$96,071
12	(7)	9606	DFA TAX AUDIT ADMR	1	\$94,188	\$96,071
13	(8)	9605	DFA DRIVER LICENSE ADMR	1	\$94,188	\$96,071
14	(9)	R012	ADMINISTRATIVE LAW JUDGE	3	GRADE	26
15	(10)	R038	ATTORNEY SUPERVISOR	2	GRADE	26
16	(11)	R170	ATTORNEY SPECIALIST	12	GRADE	25
17	(12)	512Z	DFA REVENUE PROBLEM RESOLUTION OFR	2	GRADE	25
18	(13)	073Z	DFA REVENUE TAX DIVISION MANAGER	15	GRADE	25
19	(14)	921Z	DFA DIVISION MANAGER III	4	GRADE	24
20	(15)	138Z	DFA DIVISION MANAGER II	9	GRADE	23
21	(16)	167Z	DFA DIVISION MANAGER I	13	GRADE	21
22	(17)	A104	TAX AUDITOR SUPERVISOR	24	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	6	GRADE	20
26	(21)	A069	DFA TAX ADMIN SECTION SUPERVISOR	4	GRADE	20
27	(22)	A102	TAX AUDITOR II	175	GRADE	20
28	(23)	A110	ACCOUNTANT II	11	GRADE	19
29	(24)	G026	BLDG AND GROUNDS COORDINATOR	1	GRADE	19
30	(25)	R204	PARALEGAL/LEGAL ASSISTANT	1	GRADE	19
31	(26)	R424	FAIR HEARING REFEREE	25	GRADE	19
32	(27)	N199	TAXPAYER INFORMATION OFFICER	1	GRADE	19
33	(28)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE	18
34	(29)	A111	ACCOUNTANT	9	GRADE	18
35	(30)	A176	DFA REVENUE ASST DIST MANAGER	6	GRADE	18
36	(31)	A192	INCOME TAX AUDITOR	1	GRADE	18

1	(32)	A194	TAX EXAMINER SUPV	10	GRADE 18
2	(33)	A071	REVENUE AGENT IV	12	GRADE 18
3	(34)	A043	DFA CASHIER SPECIALIST	3	GRADE 18
4	(35)	A029	DFA REVENUE SECTION SUPERVISOR	19	GRADE 18
5	(36)	A034	FIELD AUDITOR	4	GRADE 17
6	(37)	A172	REVENUE AGENT III	41	GRADE 17
7	(38)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
8	(39)	X349	TAX INVESTIGATOR	34	GRADE 17
9	(40)	R010	ADMINISTRATIVE ASSISTANT II	11	GRADE 17
10	(41)	G161	GENERAL MAINTENANCE REPAIRMAN	7	GRADE 17
11	(42)	K048	LEGAL SECRETARY II	10	GRADE 16
12	(43)	R156	REVENUE DEPT SUPERVISOR	25	GRADE 16
13	(44)	A134	TAXPAYER SERVICES REP	182	GRADE 16
14	(45)	A108	ACCOUNTING TECHNICIAN II	12	GRADE 15
15	(46)	A109	TAX EXAMINER II	4	GRADE 15
16	(47)	A028	REVENUE AGENT II	31	GRADE 15
17	(48)	V051	STOREROOM SUPV/STORE SUPV	1	GRADE 15
18	(49)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
19	(50)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	14	GRADE 15
20	(51)	K016	TRANSPORTATION SERVICES REP	190	GRADE 14
21	(52)	K079	MICRO-PHOTOGRAPHER SUPERVISOR	1	GRADE 14
22	(53)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	6	GRADE 14
23	(54)	A027	REVENUE AGENT I	64	GRADE 14
24	(55)	K153	SECRETARY II	36	GRADE 13
25	(56)	K002	CASHIER III	61	GRADE 13
26	(57)	K039	DOCUMENT EXAMINER II	81	GRADE 12
27	(58)	K181	MAILROOM SUPERVISOR	1	GRADE 12
28	(59)	K145	CASHIER/CASHIER II	229	GRADE 12
29	(60)	A184	ASST REVENUE AGENT	37	GRADE 12
30	(61)	K155	SECRETARY I	7	GRADE 11
31	(62)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
32	(63)	W023	RECORDS CENTER OPERATOR II	1	GRADE 10
33	(64)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
34	(65)	K037	DOCUMENT EXAMINER I	6	GRADE 10
35	(66)	K065	MAIL OFFICER	4	GRADE 09
36	(67)	K182	MAIL PROCESSOR	1	GRADE 08

1	(68)	G169	CUSTODIAL SUPV I	1	GRADE 06
2	(69)	G035	CUSTODIAL WRKR II	<u>11</u>	GRADE 04
3			MAX. NO. OF EMPLOYEES	1,497	

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5 SECTION 2. EXTRA HELP – REVENUE SERVICES DIVISION. There is hereby  
 6 authorized, for the Department of Finance and Administration - Revenue  
 7 Services Division for the 2007-2009 biennium, the following maximum number of  
 8 part-time or temporary employees, to be known as "Extra Help", payable from  
 9 funds appropriated herein for such purposes: two hundred twenty-one (221)  
 10 temporary or part-time employees, when needed, at rates of pay not to exceed  
 11 those provided in the Uniform Classification and Compensation Act, or its  
 12 successor, or this act for the appropriate classification.

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14 SECTION 3. APPROPRIATION - REVENUE SERVICES DIVISION - OPERATIONS. There  
 15 is hereby appropriated, to the Department of Finance and Administration -  
 16 Revenue Services Division, to be payable from the State Central Services  
 17 Fund, for personal services and operating expenses of the Department of  
 18 Finance and Administration - Revenue Services Division – Operations, for the  
 19 biennial period ending June 30, 2009, the following:

21	ITEM	FISCAL YEARS	
22	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
23	(01) REGULAR SALARIES	\$ 43,204,129	\$ 44,076,122
24	(02) EXTRA HELP	664,466	664,466
25	(03) PERSONAL SERVICES MATCHING	15,008,245	15,185,340
26	(04) OVERTIME	125,000	125,000
27	(05) MAINT. & GEN. OPERATION		
28	(A) OPER. EXPENSE	22,933,472	22,843,832
29	(B) CONF. & TRAVEL	115,450	115,450
30	(C) PROF. FEES	893,207	893,207
31	(D) CAP. OUTLAY	603,000	477,000
32	(E) DATA PROC.	680,000	430,000
33	(06) REFUNDS/REIMBURSEMENTS	<u>250,000</u>	<u>250,000</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 84,476,969</u>	<u>\$ 85,060,417</u>

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36 SECTION 4. APPROPRIATION - COMMERCIAL DRIVERS LICENSE PROGRAM. There is

1 hereby appropriated, to the Department of Finance and Administration -  
 2 Revenue Services Division, to be payable from the Commercial Driver License  
 3 Fund, for personal services and operating expenses of the Department of  
 4 Finance and Administration - Revenue Services Division - Commercial Driver's  
 5 License Program for the biennial period ending June 30, 2009, the following:

7 ITEM	FISCAL YEARS	
8 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
9 (01) REGULAR SALARIES	\$ 270,058	\$ 275,454
10 (02) PERSONAL SERVICES MATCHING	96,684	97,780
11 (03) MAINT. & GEN. OPERATION		
12 (A) OPER. EXPENSE	403,236	403,236
13 (B) CONF. & TRAVEL	0	0
14 (C) PROF. FEES	0	0
15 (D) CAP. OUTLAY	0	0
16 (E) DATA PROC.	<u>949,116</u>	<u>949,116</u>
17 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,719,094</u>	<u>\$ 1,725,586</u>

18  
 19 SECTION 5. APPROPRIATION - INDIVIDUAL INCOME TAX AND AD VALOREM PROPERTY  
 20 TAX REBATES. There is hereby appropriated, to the Department of Finance and  
 21 Administration - Revenue Services Division, to be payable from the Individual  
 22 Income Tax Withholding Fund, for the purpose of making individual income tax  
 23 refunds of taxes withheld under the provisions of Arkansas Code beginning at  
 24 26-51-901 and property tax rebates under Amendment 79 of the Arkansas  
 25 Constitution of the Department of Finance and Administration - Revenue  
 26 Services Division for the biennial period ending June 30, 2009, the  
 27 following:

29 ITEM	FISCAL YEARS	
30 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
31 (01) INDIVIDUAL INCOME TAX & AD VALOREM		
32 PROPERTY TAX REBATES - REFUND/REIMB	<u>\$ 580,000,000</u>	<u>\$ 580,000,000</u>

33  
 34 SECTION 6. APPROPRIATION - CORPORATE INCOME TAX. There is hereby  
 35 appropriated, to the Department of Finance and Administration - Revenue  
 36 Services Division, to be payable from the Corporate Income Tax Withholding

1 Fund, for the purpose of making corporate tax refunds of taxes withheld under  
 2 the provisions of Arkansas Code 26-51-901 by the Department of Finance and  
 3 Administration - Revenue Services Division for the biennial period ending  
 4 June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) CORPORATE INCOME TAX - REFUND/REIMBURSEMENTS	<u>\$ 65,000,000</u>	<u>\$ 65,000,000</u>

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11 SECTION 7. 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 by the Department of  
 16 Finance and Administration - Revenue Services Division for the biennial  
 17 period ending June 30, 2009, the following:

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ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) GASOLINE TAX REFUND CLAIMS	<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>

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23 SECTION 8. 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 by the Department of Finance and  
 28 Administration - Revenue Services Division for the biennial period ending  
 29 June 30, 2009, the following:

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ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) INTERSTATE MOTOR FUEL TAX - REFUND/REIMBURSEMENTS	<u>\$ 12,000,000</u>	<u>\$ 12,000,000</u>

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36 SECTION 9. APPROPRIATION - MISCELLANEOUS TAX REFUNDS. There is hereby

1 appropriated, to the Department of Finance and Administration - Revenue  
 2 Services Division, to be payable from the Miscellaneous Revolving Fund, for  
 3 making refunds of taxes erroneously paid and for refunds of the gross  
 4 receipts taxes paid upon tickets to athletic events pursuant to Arkansas Code  
 5 26-52-511 and for other purposes as authorized by law by the Department of  
 6 Finance and Administration - Revenue Services Division for the biennial  
 7 period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MISCELLANEOUS TAX - REFUND/REIMBURSEMENTS	<u>\$ 50,000,000</u>	<u>\$ 50,000,000</u>

14 *SECTION 10. APPROPRIATION - CHARITABLE BINGO AND RAFFLES. There is hereby*  
 15 *appropriated, to the Department of Finance and Administration - Revenue*  
 16 *Services Division, to be payable from the State Central Services Fund, for*  
 17 *personal services and operating expenses of the Department of Finance and*  
 18 *Administration - Revenue Services Division - Charitable Bingo and Raffles,*  
 19 *for the biennial period ending June 30, 2009, the following:*

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 330,909	\$ 344,015
(02) PERSONAL SERVICES MATCHING	76,836	79,880
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	122,400	138,900
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	40,000	20,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 570,145</u>	<u>\$ 582,795</u>

33 *SECTION 11. APPROPRIATION - INTEGRATED TAX SYSTEM. There is hereby*  
 34 *appropriated, to the Department of Finance and Administration - Revenue*  
 35 *Services Division, to be payable from the State Central Services Fund, for*  
 36 *the biennial period ending June 30, 2009, the following:*

1 (A) For development and implementation of a new integrated tax system, the  
2 sum of .....\$ 10,000,000.

3  
4 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

6 APPROPRIATION TRANSFERS. The Director of the Department of Finance and  
7 Administration is authorized to transfer appropriation between refund line  
8 item appropriations in this Act. The Director of the Department of Finance  
9 and Administration shall immediately report any such transfers to the  
10 Arkansas Legislative Council. Such report shall contain the amounts  
11 transferred and the reasons for the same. The provisions of this section  
12 shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

13  
14 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
16 HELP EXEMPTION. Extra Help positions authorized herein are specifically  
17 exempt from limitation of hours, either by act or regulation. Provided,  
18 however, when a temporary or part-time employee is employed by the Department  
19 of Finance and Administration - Revenue Services for a period of time  
20 exceeding seven (7) months, a report of such shall be filed with the Arkansas  
21 Legislative Council.

22 The provisions of this section shall be in effect only from July 1, ~~2005~~  
23 2007 through June 30, ~~2007~~ 2009.

24  
25 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
27 RATES OF PAY. Due to the highly competitive job market conditions for tax  
28 professionals and the necessity of recruiting and retaining qualified  
29 personnel, the Revenue Division is authorized special rates of pay for  
30 current and new employees in the classification listed under subsection (a)  
31 below.

32 (a) Special rates may be authorized up to the maximum authorized for the  
33 grade assigned the classification of a position for the following specific  
34 classifications only:

35 CLASS

36 CODE TITLE GRADE

1	A104	Tax Auditor Supervisor	21
2	A102	Tax Auditor II	20
3	A100	Tax Auditor I	18
4	A105	Tax Auditor Trainee	17

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

8 (c) This provision shall be in full force and effect for the biennium  
 9 beginning July 1, ~~2005~~ 2007, and ending June 30, ~~2007~~ 2009.

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11 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 12 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CONTINGENT  
 13 POSITIONS. There is hereby established for the Department of Finance and  
 14 Administration - Revenue Division - Contingent Positions for the ~~2005-2007~~  
 15 2007-2009 biennium, the following maximum number of regular employees whose  
 16 salaries shall be governed by the provisions of the Uniform Classification and  
 17 Compensation Act (Arkansas Code 21-5-201 et seq.), or its successor, and all  
 18 laws amendatory thereto. All persons occupying positions authorized herein are  
 19 hereby governed by the provisions of the Regular Salaries Procedures and  
 20 Restrictions Act (Arkansas Code 21-5-101), or its successor.

21 CONTINGENT POSITIONS – DATA ENTRY

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			MAXIMUM ANNUAL	
			MAXIMUM	SALARY RATE
ITEM	CLASS		NO. OF	FISCAL YEARS
NO.	CODE	TITLE	EMPLOYEES	<u>2007-08</u> <u>2008-09</u>
(1)	R156	REVENUE DEPT SUPERVISOR	2	GRADE 16
(2)	K039	DOCUMENT EXAMINER II	8	GRADE 12
(3)	K006	DATA ENTRY SPECIALIST	40	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

1 utilize the contingent positions for data entry contained in this Section and  
2 make the appropriate transfers from the various Maintenance and Operations,  
3 Professional Fees and Services or Data Processing line items contained in  
4 Section 3 of this Act to Regular Salaries and Personal Services Matching.  
5

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

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

25 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the General  
26 Assembly, that the Constitution of the State of Arkansas prohibits the  
27 appropriation of funds for more than a two (2) year period; that the  
28 effectiveness of this Act on July 1, 2007 is essential to the operation of  
29 the agency for which the appropriations in this Act are provided, and that in  
30 the event of an extension of the Regular Session, the delay in the effective  
31 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
32 proper administration and provision of essential governmental programs.  
33 Therefore, an emergency is hereby declared to exist and this Act being  
34 necessary for the immediate preservation of the public peace, health and  
35 safety shall be in full force and effect from and after July 1, 2007.  
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*/s/ Joint Budget Committee*