

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1077

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 LABOR
10 AND LICENSING - DIVISION OF LABOR FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2024; AND FOR OTHER PURPOSES.
12
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF LABOR AND
15 LICENSING - DIVISION OF LABOR
16 APPROPRIATION FOR THE 2023-2024 FISCAL
17 YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby
24 established for the Department of Labor and Licensing for the 2023-2024
25 fiscal year, the following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
31	(1) SC010	SECRETARY OF LABOR & LICENSING	1	GRADE SE05
32	(2) D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
33	(3) D038C	SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE IT06
34	(4) D063C	COMPUTER SUPPORT SPECIALIST	3	GRADE IT05
35	(5) D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE IT05
36	(6) D052C	SOFTWARE SUPPORT ANALYST	1	GRADE IT05



1	(7)	N245N DLL CHIEF OF STAFF	1	GRADE GS15
2	(8)	U135U DLL DIVISION OF LABOR DIRECTOR	1	GRADE GS15
3	(9)	G019C GENERAL COUNSEL	1	GRADE GS13
4	(10)	A021C AGENCY CONTROLLER I	1	GRADE GS12
5	(11)	G024C DEPARTMENT ADMINISTRATIVE LAW JUDGE	1	GRADE GS12
6	(12)	R013C AGENCY HUMAN RESOURCES MANAGER	1	GRADE GS11
7	(13)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
8	(14)	G308C DLL ENFORCEMENT MANAGER	1	GRADE GS10
9	(15)	R021C BUDGET ANALYST	2	GRADE GS08
10	(16)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
11	(17)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
12	(18)	C094C ATHLETIC COMMISSION PROGRAM MANAGER	1	GRADE GS06
13	(19)	A074C FISCAL SUPPORT SUPERVISOR	1	GRADE GS06
14	(20)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
15	(21)	G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
16	(22)	C022C BUSINESS OPERATIONS SPECIALIST	1	GRADE GS05
17	(23)	A098C FISCAL SUPPORT SPECIALIST	<u>1</u>	GRADE GS04
18		MAX. NO. OF EMPLOYEES	26	

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20 SECTION 2. EXTRA HELP - SHARED SERVICES. There is hereby authorized,
 21 for the Department of Labor and Licensing - Shared Services for the 2023-2024
 22 fiscal year, the following maximum number of part-time or temporary
 23 employees, to be known as "Extra Help", payable from funds appropriated
 24 herein for such purposes: four (4) temporary or part-time employees, when
 25 needed, at rates of pay not to exceed those provided in the Uniform
 26 Classification and Compensation Act, or its successor, or this act for the
 27 appropriate classification.

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29 SECTION 3. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is
 30 hereby appropriated, to the Department of Labor and Licensing, to be payable
 31 from the paying account as determined by the Chief Fiscal Officer of the
 32 State, for personal services and operating expenses of the Department of
 33 Labor and Licensing - Shared Services Paying Account for the fiscal year
 34 ending June 30, 2024, the following:

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36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2023-2024</u>
2	(01) REGULAR SALARIES	\$1,825,058
3	(02) EXTRA HELP	77,000
4	(03) PERSONAL SERVICES MATCHING	603,180
5	(04) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	958,808
7	(B) CONF. & TRAVEL	15,000
8	(C) PROF. FEES	0
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$3,479,046</u>

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13 SECTION 4. REGULAR SALARIES - DIVISION OF LABOR. There is hereby
 14 established for the Department of Labor and Licensing - Division of Labor for
 15 the 2023-2024 fiscal year, the following maximum number of regular employees.

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17			Maximum Annual
18		Maximum	Salary Rate
19	Item Class	No. of	Fiscal Year
20	<u>No. Code Title</u>	<u>Employees</u>	<u>2023-2024</u>
21	(1) D068C INFORMATION SYSTEMS ANALYST	1	GRADE IT04
22	(2) G096C DLL LABOR DIVISION MANAGER	4	GRADE GS09
23	(3) X052C DLL LABOR INSPECTOR SUPERVISOR	8	GRADE GS08
24	(4) X051C DLL LABOR MEDIATOR	1	GRADE GS08
25	(5) E026C EDUCATION & INSTRUCTION COORDINATOR	1	GRADE GS08
26	(6) X065C DLL LABOR INSPECTOR	27	GRADE GS07
27	(7) E048C EDUCATION & INSTRUCTION SPECIALIST	2	GRADE GS07
28	(8) P013C PUBLIC INFORMATION COORDINATOR	1	GRADE GS07
29	(9) A072C RESEARCH & STATISTICS MANAGER	1	GRADE GS07
30	(10) C037C ADMINISTRATIVE ANALYST	4	GRADE GS06
31	(11) X122C DLL LABOR STANDARDS INVESTIGATOR	8	GRADE GS06
32	(12) A093C STATISTICIAN	2	GRADE GS06
33	(13) V014C BUYER	1	GRADE GS05
34	(14) C056C ADMINISTRATIVE SPECIALIST III	<u>8</u>	GRADE GS04
35	MAX. NO. OF EMPLOYEES	69	

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SECTION 5. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Labor and Licensing, to be payable from the Department of Labor and Licensing Fund Account, for personal services and operating expenses of the Department of Labor and Licensing - Division of Labor - State Operations for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) REGULAR SALARIES	\$1,480,074
(02) EXTRA HELP	0
(03) PERSONAL SERVICES MATCHING	561,589
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	354,954
(B) CONF. & TRAVEL	42,395
(C) PROF. FEES	3,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
TOTAL AMOUNT APPROPRIATED	<u>\$2,442,012</u>

SECTION 6. APPROPRIATION - BOILER INSPECTION. There is hereby appropriated, to the Department of Labor and Licensing, to be payable from the Department of Labor and Licensing Special Fund, for personal services and operating expenses of the Department of Labor and Licensing - Division of Labor - Boiler Inspection for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) REGULAR SALARIES	\$458,865
(02) PERSONAL SERVICES MATCHING	177,346
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	201,804
(B) CONF. & TRAVEL	14,044
(C) PROF. FEES	0
(D) CAP. OUTLAY	0

1	(E) DATA PROC.	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$852,059</u></u>

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4 SECTION 7. APPROPRIATION - BOARD OF ELECTRICAL EXAMINERS. There is

5 hereby appropriated, to the Department of Labor and Licensing, to be payable

6 from the Department of Labor and Licensing Special Fund, for personal

7 services and operating expenses of the Department of Labor and Licensing -

8 Division of Labor - Board of Electrical Examiners for the fiscal year ending

9 June 30, 2024, the following:

10	ITEM	FISCAL YEAR
11	NO.	2023-2024
12		
13	(01) REGULAR SALARIES	\$414,911
14	(02) PERSONAL SERVICES MATCHING	158,529
15	(03) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	111,738
17	(B) CONF. & TRAVEL	6,430
18	(C) PROF. FEES	0
19	(D) CAP. OUTLAY	0
20	(E) DATA PROC.	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u><u>\$691,608</u></u>

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23 SECTION 8. APPROPRIATION - FEDERAL PROGRAMS. There is hereby

24 appropriated, to the Department of Labor and Licensing, to be payable from

25 the federal funds as designated by the Chief Fiscal Officer of the State, for

26 personal services and operating expenses of the Department of Labor and

27 Licensing - Division of Labor - Federal Programs for the fiscal year ending

28 June 30, 2024, the following:

29	ITEM	FISCAL YEAR
30	NO.	2023-2024
31		
32	(01) REGULAR SALARIES	\$923,235
33	(02) PERSONAL SERVICES MATCHING	373,300
34	(03) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	246,963
36	(B) CONF. & TRAVEL	43,950

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,587,448</u></u>

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6 SECTION 9. APPROPRIATION - WAGE AND HOUR - CASH. There is hereby

7 appropriated, to the Department of Labor and Licensing, to be payable from

8 the cash fund deposited in the State Treasury as determined by the Chief

9 Fiscal Officer of the State, for distribution of wages due employees from

10 employers in Arkansas by the Department of Labor and Licensing - Division of

11 Labor - Wage and Hour - Cash for the fiscal year ending June 30, 2024, the

12 following:

13		
14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2023-2024</u>
16	(01) WAGES DUE	<u><u>\$200,000</u></u>

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18 SECTION 10. APPROPRIATION - SEMINAR AND CONFERENCE EXPENSES - CASH.

19 There is hereby appropriated, to the Department of Labor and Licensing, to be

20 payable from the cash fund deposited in the State Treasury as determined by

21 the Chief Fiscal Officer of the State, for operating expenses from the

22 deposit of registration fees collected for seminars and conferences by the

23 Department of Labor and Licensing - Division of Labor - Seminar and

24 Conference Expenses - Cash for the fiscal year ending June 30, 2024, the

25 following:

26		
27	ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2023-2024</u>
29	(01) MAINT. & GEN. OPERATION	
30	(A) OPER. EXPENSE	\$2,000
31	(B) CONF. & TRAVEL	46,000
32	(C) PROF. FEES	0
33	(D) CAP. OUTLAY	0
34	(E) DATA PROC.	<u>0</u>
35	TOTAL AMOUNT APPROPRIATED	<u><u>\$48,000</u></u>

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1 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
3 SERVICES. (a)(1) The Chief Fiscal Officer of the State may create a Shared
4 Services paying accounts on his or her books and on the books of the
5 Treasurer of State and the Auditor of State for the payment of personal
6 services and operating expenses in the Shared Services Paying Account
7 Appropriation by the Department of Labor and Licensing.

8 (2) The Chief Fiscal Officer of the State shall direct the transfer
9 of funds and appropriations to the Shared Services Paying Account
10 appropriation section of this act on the books of the Treasurer of State, the
11 Auditor of State, and the Chief Fiscal Officer of the State.

12 (3) The transfer authority provided to the department in
13 subdivision (a)(2) of this section may be used to make transfers only within
14 the department's appropriation act or between other appropriation acts
15 authorized for the department.

16 (4) The provisions of this section shall be in effect from the date of
17 passage through June 30, ~~2023~~ 2024.

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

21 EXPENDITURE AND TRANSFER LIMITATIONS. (i) Notwithstanding any other transfer
22 provisions authorized by law, the expenditures for each individual Board,
23 Commission, Section or Division in the Department of Labor and Licensing
24 combined with fund transfers for the individual board, commission, section,
25 or division, such as but not limited to Shared Services Transfers, shall not
26 exceed the net collections of the individual board, commission, section, or
27 division in any fiscal year as set out in this section.

28 (ii) The calculations for each individual entities expenditures,
29 transfers and net collections or revenue shall be determined separately for
30 each board, commission, section or division and at no time shall a combined
31 calculation be utilized.

32 (iii) The total expenditures for a fiscal year for each entity shall be
33 determined by the average expenditures of the last three completed fiscal
34 years combined with any current fiscal year budgeted fund transfer.

35 (iv) The net collections or revenue for a fiscal year for each entity
36 shall be determined by the average revenue collections of the last three

1 completed fiscal years.

2 (v) At no time shall a fund transfer in a fiscal year cause the total
3 expenditures, as set out in subsection (iii) of this section, to exceed the
4 net collections or revenue, as set out in subsection (iv) of this section.

5 (vi) Any fund transfers combined with expenditures shall not be greater
6 than revenue collections that could create the need for a board, commission,
7 section or division to raise fees, fines, penalties, or any other collection
8 method in order to continue to provide the services for which they were
9 created.

10 (vii) Any expenditures for a board, commission, section or division
11 authorized by the General Assembly through the budget hearing and
12 appropriation process, that is specifically requested and approved to be
13 payable out of that individual entity's accumulated fund balances for
14 expenses other than normal operating expense shall be exempt from this
15 section and that expenditure from fund balances shall not be used to
16 calculate the expenditures as set out in subsection (iii) of this section.

17 (viii) The provisions as set forth in this section does not prevent any
18 individual board, commission, section, or division, from promulgating new or
19 update rules or submitting a request to raise or lower fees, fines,
20 penalties, or any other collection method.

21 (ix) In the event that an individual board, commission, section, or
22 division has a fiscal year where expenditures combined with budget transfers
23 out exceeds collections or revenue as set out in subsection (v) of this
24 section and that individual board, commission, section, or division has a
25 current fund balance greater than the average expenditures as calculated in
26 subsection (iii) of this section, then that individual board, commission,
27 section, or division is exempt from the provision of this section and may
28 utilize those fund balances to exceed the expenditure combined with transfers
29 without limitation.

30 (x) The provisions of this section shall be in effect only from July 1,
31 ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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33 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
34 authorized by this act shall be limited to the appropriation for such agency
35 and funds made available by law for the support of such appropriations; and
36 the restrictions of the State Procurement Law, the General Accounting and

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

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

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16 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the
17 General Assembly, that the Constitution of the State of Arkansas prohibits
18 the appropriation of funds for more than a one (1) year period; that the
19 effectiveness of this Act on July 1, 2023 is essential to the operation of
20 the agency for which the appropriations in this Act are provided, and that in
21 the event of an extension of the legislative session, the delay in the
22 effective date of this Act beyond July 1, 2023 could work irreparable harm
23 upon the proper administration and provision of essential governmental
24 programs. Therefore, an emergency is hereby declared to exist and this Act
25 being necessary for the immediate preservation of the public peace, health
26 and safety shall be in full force and effect from and after July 1, 2023.