

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

A Bill

SENATE BILL 7

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, 2023; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF LABOR AND
15 LICENSING - DIVISION OF LABOR
16 APPROPRIATION FOR THE 2022-2023 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 2022-2023
25 fiscal year, the following maximum number of regular employees.
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2022-2023
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)	D052C SOFTWARE SUPPORT ANALYST	1	GRADE IT05
36	(6)	N245N DLL CHIEF OF STAFF	1	GRADE GS15



1	(7)	G019C GENERAL COUNSEL	1	GRADE GS13
2	(8)	A021C AGENCY CONTROLLER I	1	GRADE GS12
3	(9)	G024C DEPARTMENT ADMINISTRATIVE LAW JUDGE	1	GRADE GS12
4	(10)	U088U DLL LABOR DEPUTY DIRECTOR	1	GRADE GS12
5	(11)	R013C AGENCY HUMAN RESOURCES MANAGER	1	GRADE GS11
6	(12)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
7	(13)	G308C DLL ENFORCEMENT MANAGER	1	GRADE GS10
8	(14)	R021C BUDGET ANALYST	2	GRADE GS08
9	(15)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
10	(16)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
11	(17)	A074C FISCAL SUPPORT SUPERVISOR	1	GRADE GS06
12	(18)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
13	(19)	G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
14	(20)	C022C BUSINESS OPERATIONS SPECIALIST	1	GRADE GS05
15	(21)	A098C FISCAL SUPPORT SPECIALIST	<u>1</u>	GRADE GS04
16		MAX. NO. OF EMPLOYEES	24	

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18 SECTION 2. EXTRA HELP - SHARED SERVICES. There is hereby authorized,
 19 for the Department of Labor and Licensing - Shared Services for the 2022-2023
 20 fiscal year, the following maximum number of part-time or temporary
 21 employees, to be known as "Extra Help", payable from funds appropriated
 22 herein for such purposes: four (4) temporary or part-time employees, when
 23 needed, at rates of pay not to exceed those provided in the Uniform
 24 Classification and Compensation Act, or its successor, or this act for the
 25 appropriate classification.

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27 SECTION 3. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is
 28 hereby appropriated, to the Department of Labor and Licensing, to be payable
 29 from the paying account as determined by the Chief Fiscal Officer of the
 30 State, for personal services and operating expenses of the Department of
 31 Labor and Licensing - Shared Services Paying Account for the fiscal year
 32 ending June 30, 2023, the following:

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34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2022-2023</u>
36	(01) REGULAR SALARIES	\$1,628,169

1	(02)	EXTRA HELP	77,000
2	(03)	PERSONAL SERVICES MATCHING	507,227
3	(04)	MAINT. & GEN. OPERATION	
4	(A)	OPER. EXPENSE	884,500
5	(B)	CONF. & TRAVEL	15,000
6	(C)	PROF. FEES	0
7	(D)	CAP. OUTLAY	0
8	(E)	DATA PROC.	<u>0</u>
9		TOTAL AMOUNT APPROPRIATED	<u><u>\$3,111,896</u></u>

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11 SECTION 4. REGULAR SALARIES - DIVISION OF LABOR. There is hereby
 12 established for the Department of Labor and Licensing - Division of Labor for
 13 the 2022-2023 fiscal year, the following maximum number of regular employees.
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15				Maximum Annual
16				Salary Rate
17	Item	Class	Maximum	Fiscal Year
18	No.	Code Title	No. of	2022-2023
			Employees	
19	(1)	D068C INFORMATION SYSTEMS ANALYST	1	GRADE IT04
20	(2)	G096C DLL LABOR DIVISION MANAGER	4	GRADE GS09
21	(3)	X052C DLL LABOR INSPECTOR SUPERVISOR	8	GRADE GS08
22	(4)	X051C DLL LABOR MEDIATOR	1	GRADE GS08
23	(5)	E026C EDUCATION & INSTRUCTION COORDINATOR	1	GRADE GS08
24	(6)	X065C DLL LABOR INSPECTOR	27	GRADE GS07
25	(7)	E048C EDUCATION & INSTRUCTION SPECIALIST	2	GRADE GS07
26	(8)	P013C PUBLIC INFORMATION COORDINATOR	1	GRADE GS07
27	(9)	A072C RESEARCH & STATISTICS MANAGER	1	GRADE GS07
28	(10)	C037C ADMINISTRATIVE ANALYST	4	GRADE GS06
29	(11)	X122C DLL LABOR STANDARDS INVESTIGATOR	8	GRADE GS06
30	(12)	A093C STATISTICIAN	2	GRADE GS06
31	(13)	V014C BUYER	1	GRADE GS05
32	(14)	C056C ADMINISTRATIVE SPECIALIST III	<u>9</u>	GRADE GS04
33		MAX. NO. OF EMPLOYEES	70	

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35 SECTION 5. APPROPRIATION - STATE OPERATIONS. There is hereby
 36 appropriated, to the Department of Labor and Licensing, to be payable from

1 the Department of Labor and Licensing Fund Account, for personal services and
 2 operating expenses of the Department of Labor and Licensing - Division of
 3 Labor - State Operations for the fiscal year ending June 30, 2023, the
 4 following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2022-2023</u>
8 (01) REGULAR SALARIES	\$1,388,362
9 (02) EXTRA HELP	0
10 (03) PERSONAL SERVICES MATCHING	496,314
11 (04) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	354,954
13 (B) CONF. & TRAVEL	42,395
14 (C) PROF. FEES	3,000
15 (D) CAP. OUTLAY	0
16 (E) DATA PROC.	<u>0</u>
17 TOTAL AMOUNT APPROPRIATED	<u><u>\$2,285,025</u></u>

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 19 SECTION 6. APPROPRIATION - BOILER INSPECTION. There is hereby
 20 appropriated, to the Department of Labor and Licensing, to be payable from
 21 the Department of Labor and Licensing Special Fund, for personal services and
 22 operating expenses of the Department of Labor and Licensing - Division of
 23 Labor - Boiler Inspection for the fiscal year ending June 30, 2023, the
 24 following:

26 ITEM	FISCAL YEAR
27 <u>NO.</u>	<u>2022-2023</u>
28 (01) REGULAR SALARIES	\$429,520
29 (02) PERSONAL SERVICES MATCHING	153,391
30 (03) MAINT. & GEN. OPERATION	
31 (A) OPER. EXPENSE	201,804
32 (B) CONF. & TRAVEL	14,044
33 (C) PROF. FEES	0
34 (D) CAP. OUTLAY	0
35 (E) DATA PROC.	<u>0</u>
36 TOTAL AMOUNT APPROPRIATED	<u><u>\$798,759</u></u>

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SECTION 7. APPROPRIATION - BOARD OF ELECTRICAL EXAMINERS. 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 - Board of Electrical Examiners for the fiscal year ending June 30, 2023, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(01) REGULAR SALARIES	\$414,911
(02) PERSONAL SERVICES MATCHING	143,835
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	131,738
(B) CONF. & TRAVEL	6,430
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$696,914</u></u>

SECTION 8. APPROPRIATION - FEDERAL PROGRAMS. There is hereby appropriated, to the Department of Labor and Licensing, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Labor and Licensing - Division of Labor - Federal Programs for the fiscal year ending June 30, 2023, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(01) REGULAR SALARIES	\$920,430
(02) PERSONAL SERVICES MATCHING	326,403
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	182,163
(B) CONF. & TRAVEL	43,950
(C) PROF. FEES	0
(D) CAP. OUTLAY	0

1	(E) DATA PROC.	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,472,946</u></u>

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

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

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

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

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

9 Labor - Wage and Hour - Cash for the fiscal year ending June 30, 2023, the

10 following:

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2022-2023</u>
13	(01) WAGES DUE	<u><u>\$200,000</u></u>

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

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

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

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

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

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

22 Conference Expenses - Cash for the fiscal year ending June 30, 2023, the

23 following:

24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2022-2023</u>
26	(01) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	\$2,000
28	(B) CONF. & TRAVEL	46,000
29	(C) PROF. FEES	0
30	(D) CAP. OUTLAY	0
31	(E) DATA PROC.	<u>0</u>
32	TOTAL AMOUNT APPROPRIATED	<u><u>\$48,000</u></u>

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35 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED

1 SERVICES. (a)(1) The Chief Fiscal Officer of the State may create a Shared
2 Services paying accounts on his or her books and on the books of the
3 Treasurer of State and the Auditor of State for the payment of personal
4 services and operating expenses in the Shared Services Paying Account
5 Appropriation by the Department of Labor and Licensing.

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

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

14 (4) The provisions of this section shall be in effect from the date of
15 passage through June 30, 2023.

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

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

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

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

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

36 (v) At no time shall a fund transfer in a fiscal year cause the total

1 expenditures, as set out in subsection (iii) of this section, to exceed the
2 net collections or revenue, as set out in subsection (iv) of this section.

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

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

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

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

28 (x) The provisions of this section shall be in effect only from July 1,
29 ~~2021~~ 2022 through June 30, ~~2022~~ 2023.

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31 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
32 authorized by this act shall be limited to the appropriation for such agency
33 and funds made available by law for the support of such appropriations; and
34 the restrictions of the State Procurement Law, the General Accounting and
35 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
36 Procedures and Restrictions Act, or their successors, and other fiscal

1 control laws of this State, where applicable, and regulations promulgated by
2 the Department of Finance and Administration, as authorized by law, shall be
3 strictly complied with in disbursement of said funds.

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

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14 SECTION 15. EFFECTIVE DATE. This act is effective on and after July 1,
15 2022.

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18 **APPROVED: 3/7/22**
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