

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1140

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF FINANCE
AND ADMINISTRATION - ALCOHOLIC BEVERAGE CONTROL
DIVISION FOR THE FISCAL YEAR ENDING JUNE 30, 2020;
AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF FINANCE AND
ADMINISTRATION - ALCOHOLIC BEVERAGE
CONTROL DIVISION APPROPRIATION FOR THE
2019-2020 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - ABC ADMINISTRATION. There is hereby established for the Department of Finance and Administration - Alcoholic Beverage Control Division for the 2019-2020 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum	Maximum Annual
			No. of Employees	Salary Rate Fiscal Year 2019-2020
(1)	G279C	ABC ADMINISTRATION DIRECTOR	1	GRADE GS15
(2)	G047C	ATTORNEY SPECIALIST	3	GRADE GS11
(3)	C037C	ADMINISTRATIVE ANALYST	2	GRADE GS06
(4)	C056C	ADMINISTRATIVE SPECIALIST III	1	GRADE GS04



(5) C046C LEGAL SUPPORT SPECIALIST	5	GRADE GS04
(6) C073C ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE GS03
MAX. NO. OF EMPLOYEES	14	

SECTION 2. EXTRA HELP - ABC ADMINISTRATION. There is hereby authorized, for the Department of Finance and Administration - Alcoholic Beverage Control Division for the 2019-2020 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - ABC ADMINISTRATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Finance and Administration - Alcoholic Beverage Control Division, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of Finance and Administration - Alcoholic Beverage Control Division for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) REGULAR SALARIES	\$660,921
(02) EXTRA HELP	7,000
(03) PERSONAL SERVICES MATCHING	221,088
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	122,329
(B) CONF. & TRAVEL	4,986
(C) PROF. FEES	5,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,021,324</u></u>

SECTION 4. APPROPRIATION - SPIRITUOUS AND VINOUS BEVERAGES. There is hereby appropriated, to the Department of Finance and Administration - Alcoholic Beverage Control Division, to be payable from the Alcoholic

Beverage Control Fund, for promotion, education, training, alcohol safety awareness, enforcement activities, equipment and vehicle purchases of the Department of Finance and Administration - Alcoholic Beverage Control Division for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) ENFORCEMENT ACTIVITIES	<u>\$300,000</u>

SECTION 5. APPROPRIATION - MEDICAL MARIJUANA COMMISSION FUND. There is hereby appropriated, to the Department of Finance and Administration - Alcoholic Beverage Control Division, to be payable from the Medical Marijuana Commission Fund, for refunds, reimbursements and contingency related to agency medical marijuana expenses of the Department of Finance and Administration - Alcoholic Beverage Control Division for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REFUNDS/REIMBURSEMENTS	\$3,500,000
(02) CONTINGENCY	2,000,000
(03) MEDICAL MARIJUANA EXPENSES	<u>140,771</u>
TOTAL AMOUNT APPROPRIATED	<u>\$5,640,771</u>

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

CONTINGENCY APPROPRIATION TRANSFER AUTHORITY. The Chief Fiscal Officer of the State shall transfer appropriation as needed from the Contingency Appropriation authorized in this Act to the Alcoholic Beverage Control Division of the Department of Finance and Administration, the Department of Health and/or any other state agency incurring expenses for the implementation, administration, or enforcement of the Arkansas Medical Marijuana Amendment of 2016, to pay for personal services, operating expenses, professional fees, equipment, monitoring, auditing, and other miscellaneous expenses.

The provisions of this section shall be in effect only from July 1,

2019 through June 30, 2020.

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

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

SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2019 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2019 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2019.

APPROVED: 4/11/19