

Stricken language will be deleted and underlined language will be added.
Act 90 of the Fiscal Session

State of Arkansas
92nd General Assembly
Fiscal Session, 2020

As Engrossed: H4/15/20

A Bill

HOUSE BILL 1030

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 - REGULATORY DIVISION FOR THE
FISCAL YEAR ENDING JUNE 30, 2021; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF FINANCE AND
ADMINISTRATION - REGULATORY DIVISION
APPROPRIATION FOR THE 2020-2021 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 2020-2021 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum	Maximum Annual
			No. of Employees	Salary Rate Fiscal Year 2020-2021
(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 2020-2021 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, 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, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$662,121
(02) EXTRA HELP	7,000
(03) PERSONAL SERVICES MATCHING	221,366
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	122,009
(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>\$1,022,482</u></u>

SECTION 4. APPROPRIATION - ABC ADMINISTRATION - SPIRITUOUS AND VINOUS BEVERAGES. There is hereby appropriated, to the Department of Finance and Administration, 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, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) ENFORCEMENT ACTIVITIES	<u>\$300,000</u>

SECTION 5. APPROPRIATION - ABC ADMINISTRATION - MEDICAL MARIJUANA COMMISSION. There is hereby appropriated, to the Department of Finance and Administration, 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, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(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. REGULAR SALARIES - ABC ENFORCEMENT - STATE OPERATIONS. There is hereby established for the Department of Finance and Administration - Alcoholic Beverage Control Enforcement Division for the 2020-2021 fiscal year, the following maximum number of regular employees.

Item No.	Class Code Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
(1)	G280C ABC ENFORCEMENT DIRECTOR	1	GRADE GS15
(2)	X215C DFA ABC ENFORCEMENT OFFICER SUPERVSR	4	GRADE GS08
(3)	X085C DFA ABC ENFORCEMENT OFFICER	21	GRADE GS07
(4)	C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04

MAX. NO. OF EMPLOYEES 2

SECTION 7. APPROPRIATION - ABC ENFORCEMENT - STATE OPERATIONS. There is hereby appropriated, to the Department of Finance and Administration, 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 Enforcement Division for the fiscal year ending June 30, 2021, the following:

ITEM NO.		FISCAL YEAR 2020-2021
(01)	REGULAR SALARIES	\$195,879
(02)	PERSONAL SERVICES MATCHING	35,907
(03)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	175,000
	(B) CONF. & TRAVEL	25,000
	(C) PROF. FEES	0
	(D) CAP. OUTLAY	0
	(E) DATA PROC.	0
	TOTAL AMOUNT APPROPRIATED	<u>\$ 431,786</u>

SECTION 8. REGULAR SALARIES - DIVISION OF RACING. There is hereby established for the Department of Finance and Administration - Division of Racing for the 2020-2021 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
(1)	G287C	RACING COMMISSION DIRECTOR	1	GRADE GS15
(2)	B009N	DFA DOG RACING VETERINARIAN	1	GRADE MP04
(3)	X069C	DFA RACING SUPERVISOR	3	GRADE GS09
(4)	C037C	ADMINISTRATIVE ANALYST	2	GRADE GS06
(5)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE GS05
(6)	X142C	DFA RACING COMMISSION JUDGE	2	GRADE GS05

(7) A104C DFA RACING COMMISSION OFFICE AUDITOR	1	GRADE GS04
(8) B110C VETERINARIAN ASSISTANT	<u>4</u>	GRADE GS03
MAX. NO. OF EMPLOYEES	15	

SECTION 9. EXTRA HELP - DIVISION OF RACING. There is hereby authorized, for the Department of Finance and Administration - Division of Racing for the 2020-2021 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: thirty-one (31) 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 10. APPROPRIATION - DIVISION OF RACING - STATE OPERATIONS. There is hereby appropriated, to the Department of Finance and Administration, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of Finance and Administration - Division of Racing for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$741,728
(02) EXTRA HELP	460,000
(03) PERSONAL SERVICES MATCHING	331,620
(04) OVERTIME	10,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	290,914
(B) CONF. & TRAVEL	7,500
(C) PROF. FEES	50,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$1,891,762</u>

SECTION 11. APPROPRIATION - DIVISION OF RACING - CASH OPERATIONS. There is hereby appropriated, to the Department of Finance and

Administration, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Finance and Administration - Division of Racing for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) EXTRA HELP	\$65,000
(02) PERSONAL SERVICES MATCHING	14,991
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	231,000
(B) CONF. & TRAVEL	5,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) REFUND/REIMBURSEMENTS	<u>5,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$320,991</u></u>

SECTION 12. APPROPRIATION - DIVISION OF RACING - PURSES AND AWARDS TRANSFERS. There is hereby appropriated, to the Department of Finance and Administration - Division of Racing, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for the transfers to the Department of Finance and Administration - Division of Racing Purses and Awards Fund for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) REFUNDS, INVESTMENTS, TRANSFERS	<u><u>\$5,000,000</u></u>

SECTION 13. REGULAR SALARIES - ARKANSAS TOBACCO CONTROL. There is hereby established for the Department of Finance and Administration - Arkansas Tobacco Control for the 2020-2021 fiscal year, the following maximum number of regular employees.

Maximum Annual

Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Year 2020-2021
(1)	N113N	ATC DIRECTOR	1	GRADE GS15
(2)	G270C	ATC DEPUTY DIRECTOR	1	GRADE GS11
(3)	G047C	ATTORNEY SPECIALIST	1	GRADE GS11
(4)	G246C	ATC BRANCH MANAGER	1	GRADE GS10
(5)	T108C	ATC CHIEF CRIMINAL INVESTIGATIONS SUPV.	1	GRADE GS09
(6)	A060C	SENIOR AUDITOR	2	GRADE GS08
(7)	C037C	ADMINISTRATIVE ANALYST	2	GRADE GS06
(8)	X074C	ATC AUDITOR/INVESTIGATOR	2	GRADE GS06
(9)	X196C	ATC SENIOR ENFORCEMENT AGENT	4	GRADE GS06
(10)	R027C	BUDGET SPECIALIST	1	GRADE GS06
(11)	E046C	TRAINING INSTRUCTOR	1	GRADE GS06
(12)	X131C	ATC ENFORCEMENT AGENT	11	GRADE GS05
(13)	C056C	ADMINISTRATIVE SPECIALIST III	3	GRADE GS04
		MAX. NO. OF EMPLOYEES	16	

SECTION 14. APPROPRIATION - ARKANSAS TOBACCO CONTROL - OPERATIONS.

There is hereby appropriated, to the Department of Finance and Administration, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of Finance and Administration - Arkansas Tobacco Control for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) REGULAR SALARIES	\$340,287
(02) PERSONAL SERVICES MATCHING	107,821
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	119,918
(B) CONF. & TRAVEL	0
(C) PROF. FEES	5,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
TOTAL AMOUNT APPROPRIATED	<u>\$573,026</u>

SECTION 15. APPROPRIATION - ARKANSAS TOBACCO CONTROL - SALES TO MINORS ENFORCEMENT - CASH. There is hereby appropriated, to the Department of Finance and Administration, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services, operating expenses, and the purchase of promotional items of the Department of Finance and Administration - Arkansas Tobacco Control - Sales to Minors Enforcement - Cash for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) REGULAR SALARIES	\$251,350
(02) PERSONAL SERVICES MATCHING	83,161
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	232,072
(B) CONF. & TRAVEL	0
(C) PROF. FEES	1,700
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) PROMOTIONAL ITEMS	<u>5,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$573,283</u></u>

SECTION 16. APPROPRIATION - ARKANSAS TOBACCO CONTROL - TOBACCO INSPECTION PROGRAM - FEDERAL. There is hereby appropriated, to the Department of Finance and Administration, 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 Finance and Administration - Arkansas Tobacco Control - Tobacco Inspection Program - Federal for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) REGULAR SALARIES	\$91,097
(02) PERSONAL SERVICES MATCHING	35,016
(03) OVERTIME	17,041

(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	150,000
(B) CONF. & TRAVEL	5,000
(C) PROF. FEES	31,242
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$329,396</u></u>

SECTION 17. APPROPRIATION - ARKANSAS TOBACCO CONTROL - CIGARETTE FIRE SAFETY AND PREVENTION. There is hereby appropriated, to the Department of Finance and Administration, to be payable from the Cigarette Fire Safety Standard Fund, for personal services and operating expenses to support fire safety and prevention programs of the Department of Finance and Administration - Arkansas Tobacco Control for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) FIRE SAFETY AND PREVENTION	<u><u>\$50,000</u></u>

SECTION 18. APPROPRIATION - ARKANSAS TOBACCO CONTROL - REVENUE ENFORCEMENT. There is hereby appropriated, to the Department of Finance and Administration - Arkansas Tobacco Control, to be payable from the Arkansas Tobacco Control Revenue Fund, for personal services and operating expenses related to carrying out the purposes authorized in 19-6-831 for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$159,793
(02) PERSONAL SERVICES MATCHING	51,968
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	93,817
(B) CONF. & TRAVEL	5,000
(C) PROF. FEES	500
(D) CAP. OUTLAY	0

(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$311,078</u></u>

SECTION 19. REGULAR SALARIES - REGULATORY DIVISION - ENFORCEMENT.

There is hereby established for the Department of Finance and Administration for the 2020-2021 fiscal year, the following maximum number of regular employees.

<i>Item</i>	<i>Class</i>	<i>Maximum</i>	<i>Maximum Annual</i>
<i>No.</i>	<i>Code Title</i>	<i>No. of</i>	<i>Salary Rate</i>
<i>No.</i>	<i>Code Title</i>	<i>Employees</i>	<i>Fiscal Year</i>
			<i>2020-2021</i>
(1)	X215C DFA ABC ENFORCEMENT OFFICER SUPERVSR	4	GRADE GS08
(2)	X085C DFA ABC ENFORCEMENT OFFICER	21	GRADE GS07
(3)	X196C ATC SENIOR ENFORCEMENT AGENT	4	GRADE GS06
(4)	X131C ATC ENFORCEMENT AGENT	<u>11</u>	GRADE GS05
	<i>MAX. NO. OF EMPLOYEES</i>	40	

SECTION 20. APPROPRIATION - REGULATORY DIVISION - ENFORCEMENT. There is hereby appropriated, to the Department of Finance and Administration, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services of the Department of Finance and Administration - Regulatory Division - Enforcement for the fiscal year ending June 30, 2021, the following:

<i>ITEM</i>	<i>FISCAL YEAR</i>
<i>NO.</i>	<i>2020-2021</i>
(01) REGULAR SALARIES	\$1,685,654
(02) PERSONAL SERVICES MATCHING	<u>625,421</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$2,311,075</u></u>

SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ABC ADMINISTRATION - 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~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DIVISION OF RACING - EXTRA HELP. There is hereby authorized, for the Department of Finance and Administration - Division of Racing for the ~~2019-2020~~ 2020-2021 fiscal year, the maximum number of thirty-one (31) part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes, such employees shall be authorized to work over 1,000 hours per year.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS TOBACCO CONTROL - PROMOTIONAL ITEMS. Arkansas Tobacco Control is hereby authorized to purchase from Maintenance & General Operations Classifications in the Operations Appropriation and Sales to Minors Enforcement - Cash Appropriation provided by this Act, up to an amount not to exceed \$5,000 each fiscal year for promotional items, authorized by the Director of the Agency, and with the approval of the Chief Fiscal Officer of the State, to meet Arkansas Tobacco Control Merchant Education needs.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 24. 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 25. 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 26. 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, 2020 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, 2020 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, 2020.

/s/ Joint Budget Committee

APPROVED: 4/20/20