

**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 83rd General Assembly  
3 Regular Session, 2001  
4

# A Bill

**Act 50 of 2001**  
HOUSE BILL 1228

5 By: Joint Budget Committee  
6  
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## **For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE DEPARTMENT OF FINANCE  
11 AND ADMINISTRATION - ALCOHOLIC BEVERAGE CONTROL  
12 DIVISION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003;  
13 AND FOR OTHER PURPOSES.  
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## **Subtitle**

16 AN ACT FOR THE DEPARTMENT OF FINANCE  
17 AND ADMINISTRATION - ALCOHOLIC BEVERAGE  
18 CONTROL DIVISION APPROPRIATION FOR  
19 THE 2001-2003 BIENNIAL PERIOD.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. REGULAR SALARIES - ABC ADMINISTRATION. There is hereby  
26 established for the Department of Finance and Administration - Alcoholic  
27 Beverage Control Division for the 2001-2003 biennium, the following maximum  
28 number of regular employees whose salaries shall be governed by the provisions  
29 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201  
30 et seq.), or its successor, and all laws amendatory thereto. Provided,  
31 however, that any position to which a specific maximum annual salary is set  
32 out herein 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.

Item	Class	No.	Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
						2001-2002	2002-2003
(1)	9939			DFA DIRECTOR ABC	1	\$72,747	\$74,638
(2)	R170			ATTORNEY SPECIALIST	2	GRADE 25	
(3)	R266			MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
(4)	K117			MEDICAL OR LEGAL SECRETARY	4	GRADE 14	
(5)	K153			SECRETARY II	<u>2</u>	GRADE 13	
				MAX. NO. OF EMPLOYEES	10		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Finance and Administration - Alcoholic Beverage Control Division for the 2001-2003 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one (1) 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. APPROPRIATIONS - ABC ADMINISTRATION - CASH OPERATIONS. There is hereby appropriated, to the Department of Finance and Administration - Alcoholic Beverage Control Division, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Finance and Administration - Alcoholic Beverage Control Division, for operating expenses of the Department of Finance and Administration - Alcoholic Beverage Control Division for the biennial period ending June 30, 2003, the following:

ITEM NO.		FISCAL YEARS	
		2001-2002	2002-2003
(01)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	10,964	10,964
(B)	CONF. & TRAVEL	0	0
(C)	PROF. FEES	0	0
(D)	CAP. OUTLAY	0	0

1	(E) DATA PROC.	0	0
2	TOTAL AMOUNT APPROPRIATED	\$ 10,964	\$ 10,964

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 4 SECTION 4. APPROPRIATION - ABC ADMINISTRATION - STATE OPERATIONS. There is  
 5 hereby appropriated, to the Department of Finance and Administration -  
 6 Alcoholic Beverage Control Division, to be payable from the State General  
 7 Services Fund Account, for personal services and operating expenses of the  
 8 Department of Finance and Administration - Alcoholic Beverage Control Division  
 9 for the biennial period ending June 30, 2003, the following:

11	ITEM	FISCAL YEARS	
12	NO.	2001-2002	2002-2003
13	(01) REGULAR SALARIES	\$ 382,326	\$ 392,266
14	(02) EXTRA HELP	2,600	2,600
15	(03) PERSONAL SERV MATCHING	98,086	99,859
16	(04) MAINT. & GEN. OPERATION		
17	(A) OPER. EXPENSE	110,462	110,462
18	(B) CONF. & TRAVEL	4,986	4,986
19	(C) PROF. FEES	0	0
20	(D) CAP. OUTLAY	22,000	2,000
21	(E) DATA PROC.	0	0
22	TOTAL AMOUNT APPROPRIATED	\$ 620,460	\$ 612,173

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 24 SECTION 5. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
 25 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
 26 appropriations as provided in this Act, the agency disbursing officer shall  
 27 monitor the level of fund balances in relation to expenditures on a monthly  
 28 basis. If any proposed expenditures would cause a fund balance to decline to  
 29 less than fifty percent (50%) of the balance available on July 1, 2001, the  
 30 disbursing officer shall immediately notify the executive head of the agency.  
 31 Prior to any obligations being made under these circumstances, the agency  
 32 head shall file written documentation with the Chief Fiscal Officer of the  
 33 State requesting approval of the expenditures. Such documentation shall  
 34 provide sufficient financial data to justify the expenditures and shall  
 35 include the following:  
 36 1) a plan that clearly indicates the specific fiscal impact of such

1 expenditures on the fund balance.

2 2) information clearly indicating and explaining what programs would be cut or  
3 any other measures to be taken by the agency to restore the fund balance.

4 3) the extent to which any of the planned expenditures are for one-time costs  
5 or one-time purchase of capitalized items.

6 4) a statement certifying that the expenditure of fund balances will not  
7 jeopardize the financial health of the agency, nor result in a permanent  
8 depletion of the fund balance.

9 (B) The Chief Fiscal Officer of the State shall review the request and  
10 approve or disapprove all or any part of the request , after having sought  
11 prior review by the Legislative Council.

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

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

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32 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
33 Assembly, that the Constitution of the State of Arkansas prohibits the  
34 appropriation of funds for more than a two (2) year period; that the  
35 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
36 agency for which the appropriations in this Act are provided, and that in the

1 event of an extension of the Regular Session, the delay in the effective date  
2 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
3 administration and provision of essential governmental programs. Therefore, an  
4 emergency is hereby declared to exist and this Act being necessary for the  
5 immediate preservation of the public peace, health and safety shall be in full  
6 force and effect from and after July 1, 2001.

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9 APPROVED: 1/31/2001  
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