

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

Act 1219 of 1999
SENATE BILL 911

5 By: Senator B. Walker
6 By: Representative J. Lewellen
7

For An Act To Be Entitled

10 "AN ACT TO TRANSFER ALL POWERS, FUNCTIONS, AND DUTIES
11 OF THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION
12 DEPARTMENT REGARDING OR PERTAINING TO THE STATE
13 ALCOHOL PROGRAM ADMINISTERED BY THAT DEPARTMENT TO THE
14 DEPARTMENT OF HEALTH BY A TYPE 2 TRANSFER; TO DECLARE
15 AN EMERGENCY; AND FOR OTHER PURPOSES"

Subtitle

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18 "TO TRANSFER CERTAIN POWERS, FUNCTIONS,
19 AND DUTIES OF THE HIGHWAY AND
20 TRANSPORTATION DEPARTMENT TO THE
21 DEPARTMENT OF HEALTH"
22
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. On or after the effective date of this Act, all powers,
27 duties, functions, records, and funds administered or provided by other
28 support divisions within the Arkansas State Highway and Transportation
29 Department for the Traffic Safety Section of the Programs and Contracts
30 Division regarding or relating to the state alcohol program, commonly known as
31 the Community Alcohol Safety Program, administered by the Department pursuant
32 to the laws of this State and transferred to that Department by Act 153 of the
33 First Extraordinary Session of 1989, shall be transferred by a Type 2
34 Transfer, as defined in Arkansas Code Section 25-2-105, to the Bureau of
35 Alcohol and Drug Abuse Prevention of the Department of Health. For the
36 purposes of this Section the term "funds" shall mean all funds derived from

1 the State Administration of Justice Fund, Arkansas Code Section 16-10-310, for
 2 usage by the State Alcohol Program, education fees paid by offenders of the
 3 Omnibus DWI Act, and Appropriation – Community Alcohol Safety.

4
 5 SECTION 2. REGULAR SALARIES. There is hereby established for the
 6 Arkansas Department of Health, Bureau of Alcohol and Drug Abuse Prevention for
 7 the Community Alcohol Safety Program for the 1999-2001 biennium, the following
 8 maximum number of regular employees whose salaries shall be governed by the
 9 provisions of the Uniform Classification and compensation Act (Arkansas Code
 10 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
 11 Provided however, that any position to which a specific maximum annual salary
 12 is set out herein in dollars, shall be exempt from the provisions of said
 13 Uniform Classification and compensation Act. All persons occupying positions
 14 authorized herein are hereby governed by the provisions of the Regular
 15 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
 16 successor.

Item Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
		1999-2000	2000-2001
(1) R266 Management Project			
Analyst II	1	GRADE 20	
(2) K153 Secretary II	1	GRADE 13	
MAX. NO. OF EMPLOYEES	2		

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 26 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 28 FORWARD. Any balance remaining in the appropriation and funds made available
 29 for the State Alcohol Program which remains on June 30, 1999 or June 30, 2000
 30 or both may be carried forward into the next fiscal year, there to be used for
 31 the same purpose.

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 33 SECTION 4. All outstanding encumbrances of the Community Alcohol Safety
 34 Program as of June 30, 1999, shall be paid by the Arkansas Department of
 35 Health with Community Alcohol Safety Program funds.

1 SECTION 5. All personnel transferred from the Arkansas State Highway
2 and Transportation Department pursuant to Section 1 of this Act shall be
3 eligible for employment under this Act in a comparable position with the
4 Arkansas Department of Health, Bureau of Alcohol and Drug Abuse Prevention.

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6 SECTION 6. All provisions of this Act of a general and permanent nature
7 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
8 Revision Commission shall incorporate the same in the Code.

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10 SECTION 7. If any provision of this Act or the application thereof to
11 any person or circumstance is held invalid, such invalidity shall not affect
12 other provisions or applications of the Act which can be given effect without
13 the invalid provision or application, and to this end the provisions of this
14 Act are declared to be severable.

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16 SECTION 8. All laws and parts of laws in conflict with this Act are
17 hereby repealed.

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19 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
20 Eighty-second General Assembly that the functions performed by the Arkansas
21 State Highway and Transportation Department relating to the state alcohol
22 program can more properly be accomplished by the Department of Health; and
23 that such functions should be transferred at the beginning of the next fiscal
24 year. Therefore, an emergency is declared to exist and this Act being
25 immediately necessary for the preservation of the public peace, health and
26 safety shall be in full force and effect on and after July 1, 1999.

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29 APPROVED: 4/7/1999
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