

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1140

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 FINANCE  
10 AND ADMINISTRATION - ALCOHOLIC BEVERAGE CONTROL  
11 DIVISION FOR THE FISCAL YEAR ENDING JUNE 30, 2020;  
12 AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF FINANCE AND  
16 ADMINISTRATION - ALCOHOLIC BEVERAGE  
17 CONTROL DIVISION APPROPRIATION FOR THE  
18 2019-2020 FISCAL YEAR.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES - ABC ADMINISTRATION. There is hereby  
25 established for the Department of Finance and Administration - Alcoholic  
26 Beverage Control Division for the 2019-2020 fiscal year, the following  
27 maximum number of regular employees.  
28

| Item | Class |                                     | Maximum   | Maximum Annual |
|------|-------|-------------------------------------|-----------|----------------|
| No.  | Code  | Title                               | No. of    | Salary Rate    |
|      |       |                                     | Employees | Fiscal Year    |
|      |       |                                     |           | 2019-2020      |
| 33   | (1)   | G279C ABC ADMINISTRATION DIRECTOR   | 1         | GRADE GS15     |
| 34   | (2)   | G047C ATTORNEY SPECIALIST           | 3         | GRADE GS11     |
| 35   | (3)   | C037C ADMINISTRATIVE ANALYST        | 2         | GRADE GS06     |
| 36   | (4)   | C056C ADMINISTRATIVE SPECIALIST III | 1         | GRADE GS04     |



|   |                                        |          |            |
|---|----------------------------------------|----------|------------|
| 1 | (5) C046C LEGAL SUPPORT SPECIALIST     | 5        | GRADE GS04 |
| 2 | (6) C073C ADMINISTRATIVE SPECIALIST II | <u>2</u> | GRADE GS03 |
| 3 | MAX. NO. OF EMPLOYEES                  | 14       |            |

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

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

| 21 | ITEM                            | FISCAL YEAR               |
|----|---------------------------------|---------------------------|
| 22 | <u>NO.</u>                      | <u>2019-2020</u>          |
| 23 | (01) REGULAR SALARIES           | \$660,921                 |
| 24 | (02) EXTRA HELP                 | 7,000                     |
| 25 | (03) PERSONAL SERVICES MATCHING | 221,088                   |
| 26 | (04) MAINT. & GEN. OPERATION    |                           |
| 27 | (A) OPER. EXPENSE               | 122,329                   |
| 28 | (B) CONF. & TRAVEL              | 4,986                     |
| 29 | (C) PROF. FEES                  | 5,000                     |
| 30 | (D) CAP. OUTLAY                 | 0                         |
| 31 | (E) DATA PROC.                  | <u>0</u>                  |
| 32 | TOTAL AMOUNT APPROPRIATED       | <u><u>\$1,021,324</u></u> |

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

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

| 6 ITEM                        | FISCAL YEAR      |
|-------------------------------|------------------|
| 7 NO.                         | 2019-2020        |
| 8 (01) ENFORCEMENT ACTIVITIES | <u>\$300,000</u> |

9  
 10 SECTION 5. APPROPRIATION - MEDICAL MARIJUANA COMMISSION FUND. There is  
 11 hereby appropriated, to the Department of Finance and Administration -  
 12 Alcoholic Beverage Control Division, to be payable from the Medical Marijuana  
 13 Commission Fund, for refunds, reimbursements and contingency related to  
 14 agency medical marijuana expenses of the Department of Finance and  
 15 Administration - Alcoholic Beverage Control Division for the fiscal year  
 16 ending June 30, 2020, the following:

| 18 ITEM                            | FISCAL YEAR        |
|------------------------------------|--------------------|
| 19 NO.                             | 2019-2020          |
| 20 (01) REFUNDS/REIMBURSEMENTS     | \$3,500,000        |
| 21 (02) CONTINGENCY                | 2,000,000          |
| 22 (03) MEDICAL MARIJUANA EXPENSES | <u>140,771</u>     |
| 23 TOTAL AMOUNT APPROPRIATED       | <u>\$5,640,771</u> |

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

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

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

1 2019 through June 30, 2020.

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3 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
4 authorized by this act shall be limited to the appropriation for such agency  
5 and funds made available by law for the support of such appropriations; and  
6 the restrictions of the State Procurement Law, the General Accounting and  
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
8 Procedures and Restrictions Act, or their successors, and other fiscal  
9 control laws of this State, where applicable, and regulations promulgated by  
10 the Department of Finance and Administration, as authorized by law, shall be  
11 strictly complied with in disbursement of said funds.  
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13 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General  
14 Assembly that any funds disbursed under the authority of the appropriations  
15 contained in this act shall be in compliance with the stated reasons for  
16 which this act was adopted, as evidenced by the Agency Requests, Executive  
17 Recommendations and Legislative Recommendations contained in the budget  
18 manuals prepared by the Department of Finance and Administration, letters, or  
19 summarized oral testimony in the official minutes of the Arkansas Legislative  
20 Council or Joint Budget Committee which relate to its passage and adoption.  
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22 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
23 Assembly, that the Constitution of the State of Arkansas prohibits the  
24 appropriation of funds for more than a one (1) year period; that the  
25 effectiveness of this Act on July 1, 2019 is essential to the operation of  
26 the agency for which the appropriations in this Act are provided, and that in  
27 the event of an extension of the legislative session, the delay in the  
28 effective date of this Act beyond July 1, 2019 could work irreparable harm  
29 upon the proper administration and provision of essential governmental  
30 programs. Therefore, an emergency is hereby declared to exist and this Act  
31 being necessary for the immediate preservation of the public peace, health  
32 and safety shall be in full force and effect from and after July 1, 2019.  
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35 **APPROVED: 4/11/19**  
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