

**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

*As Engrossed: S3/14/01*

# A Bill

**Act 1000 of 2001**  
SENATE BILL 226

5 By: Joint Budget Committee  
6  
7

## **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 ENFORCEMENT DIVISION FOR THE BIENNIAL PERIOD ENDING  
13 JUNE 30, 2003; AND FOR OTHER PURPOSES.  
14

## **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF FINANCE  
16 AND ADMINISTRATION - ALCOHOLIC BEVERAGE  
17 CONTROL ENFORCEMENT DIVISION APPROPRIATION  
18 FOR THE 2001-2003 BIENNIUM.  
19  
20  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. REGULAR SALARIES. There is hereby established for the  
26 Department of Finance and Administration - Alcoholic Beverage Control  
27 Enforcement Division for the 2001-2003 biennium, the following maximum number  
28 of regular employees whose salaries shall be governed by the provisions of the  
29 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
30 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
31 that any position to which a specific maximum annual salary is set out herein  
32 in dollars, shall be exempt from the provisions of said Uniform Classification  
33 and Compensation Act. All persons occupying positions authorized herein are  
34 hereby governed by the provisions of the Regular Salaries Procedures and  
35 Restrictions Act (Arkansas Code §21-5-101), or its successor.  
36

Item	Class		Maximum	Maximum	Annual
No.	Code	Title	No. of	Salary	Rate
			Employees	Fiscal	Years
				2001-2002	2002-2003
(1)	9981	DIRECTOR ABC ENFORCEMENT	1	\$54,331	\$55,743
(2)	R079	ASST DIR ABC	1	GRADE 22	
(3)	X304	ABC SR ENFORCEMENT OFFICER	17	GRADE 20	
(4)	K153	SECRETARY II	1	GRADE 13	
(5)	A106	ACCOUNTING TECHNICIAN I	1	GRADE 12	
		MAX. NO. OF EMPLOYEES	21		

11

12 SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,  
 13 to the Department of Finance and Administration - Alcoholic Beverage Control  
 14 Enforcement Division, to be payable from the State General Services Fund  
 15 Account, for personal services and operating expenses of the Department of  
 16 Finance and Administration - Alcoholic Beverage Control Enforcement Division  
 17 for the biennial period ending June 30, 2003, the following:

18

ITEM		FISCAL YEARS	
NO.		2001-2002	2002-2003
(01)	REGULAR SALARIES	\$ 601,331	\$ 616,963
(02)	PERSONAL SERV MATCHING	165,787	168,553
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	142,974	142,974
(B)	CONF. & TRAVEL	2,000	2,000
(C)	PROF. FEES	0	0
(D)	CAP. OUTLAY	17,000	13,000
(E)	DATA PROC.	0	0
	TOTAL AMOUNT APPROPRIATED	\$ 929,092	\$ 943,490

30

31 SECTION 3. APPROPRIATION - FEDERAL OPERATIONS. There is hereby  
 32 appropriated, to the Department of Finance and Administration - Alcoholic  
 33 Beverage Control Enforcement Division, to be payable from the federal funds as  
 34 designated by the Chief Fiscal Officer of the State, for personal services and  
 35 operating expenses in prevention of underage drinking by the Department of  
 36 Finance and Administration - Alcoholic Beverage Control Enforcement Division

1 for the biennial period ending June 30, 2003, the following:

2

3	ITEM	FISCAL YEARS	
4	NO.	2001-2002	2002-2003
5	(01) PERSONAL SERV MATCHING	\$ 7,084	\$ 7,084
6	(02) OVERTIME	40,000	40,000
7	(03) MAINT. & GEN. OPERATION		
8	(A) OPER. EXPENSE	52,654	52,654
9	(B) CONF. & TRAVEL	10,000	10,000
10	(C) PROF. FEES	300,000	300,000
11	(D) CAP. OUTLAY	50,000	50,000
12	(E) DATA PROC.	<u>0</u>	<u>0</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$ 459,738</u>	<u>\$ 459,738</u>

14

15 SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
 16 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
 17 appropriations as provided in this Act, the agency disbursing officer shall  
 18 monitor the level of fund balances in relation to expenditures on a monthly  
 19 basis. If any proposed expenditures would cause a fund balance to decline to  
 20 less than fifty percent (50%) of the balance available on July 1, 2001, the  
 21 disbursing officer shall immediately notify the executive head of the agency.  
 22 Prior to any obligations being made under these circumstances, the agency  
 23 head shall file written documentation with the Chief Fiscal Officer of the  
 24 State requesting approval of the expenditures. Such documentation shall  
 25 provide sufficient financial data to justify the expenditures and shall  
 26 include the following:  
 27 1) a plan that clearly indicates the specific fiscal impact of such  
 28 expenditures on the fund balance.  
 29 2) information clearly indicating and explaining what programs would be cut or  
 30 any other measures to be taken by the agency to restore the fund balance.  
 31 3) the extent to which any of the planned expenditures are for one-time costs  
 32 or one-time purchase of capitalized items.  
 33 4) a statement certifying that the expenditure of fund balances will not  
 34 jeopardize the financial health of the agency, nor result in a permanent  
 35 depletion of the fund balance.  
 36 (B) The Chief Fiscal Officer of the State shall review the request and

1 approve or disapprove all or any part of the request , after having sought  
2 prior review by the Legislative Council.

3  
4 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
5 this act shall be limited to the appropriation for such agency and funds made  
6 available by law for the support of such appropriations; and the restrictions  
7 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
8 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
9 Restrictions Act, or their successors, and other fiscal control laws of this  
10 State, where applicable, and regulations promulgated by the Department of  
11 Finance and Administration, as authorized by law, shall be strictly complied  
12 with in disbursement of said funds.

13  
14 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
15 that any funds disbursed under the authority of the appropriations contained  
16 in this act shall be in compliance with the stated reasons for which this act  
17 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
18 and Legislative Recommendations contained in the budget manuals prepared by  
19 the Department of Finance and Administration, letters, or summarized oral  
20 testimony in the official minutes of the Arkansas Legislative Council or Joint  
21 Budget Committee which relate to its passage and adoption.

22  
23 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
24 Assembly, that the Constitution of the State of Arkansas prohibits the  
25 appropriation of funds for more than a two (2) year period; that the  
26 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
27 agency for which the appropriations in this Act are provided, and that in the  
28 event of an extension of the Regular Session, the delay in the effective date  
29 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
30 administration and provision of essential governmental programs. Therefore, an  
31 emergency is hereby declared to exist and this Act being necessary for the  
32 immediate preservation of the public peace, health and safety shall be in full  
33 force and effect from and after July 1, 2001.

34 */s/ Joint Budget Committee*

35  
36 APPROVED: 3/22/2001