

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Bradford**

A Bill

SENATE BILL 687

For An Act To Be Entitled

"AN ACT TO TRANSFER THE DIVISION OF ALCOHOL AND DRUG ABUSE
PREVENTION OF THE DEPARTMENT OF HUMAN SERVICES TO THE
DEPARTMENT OF HEALTH; AND FOR OTHER PURPOSES."

Subtitle

"TRANSFER DIVISION OF ALCOHOL & DRUG ABUSE PREVENTION OF
DHS TO THE DEPARTMENT OF HEALTH."

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

SECTION 1. The Division of Alcohol and Drug Abuse Prevention of the
Department of Human Services is transferred to the Department of Health
effective July 1, 1993, and shall thereafter be known as the "Bureau of
Alcohol and Drug Abuse Prevention".

SECTION 2. All appropriations for the Division of Alcohol and Drug
Abuse Prevention for the 1993-95 biennium shall be deemed to be appropriated
to and shall be made available for the operation and maintenance of the Bureau
of Alcohol and Drug Abuse Prevention. The Director of the Department of
Finance and Administration shall transfer to the Department of Health all
appropriations and funds from any other sources in the custody or control of
the Department of Human Services which are designated for the Division of
Alcohol and Drug Abuse Prevention. All authorities and responsibilities
defined in Act 644 of 1977 as amended shall be administered by the Bureau of
Alcohol and Drug Abuse Prevention of the Department of Health.

SECTION 3. Any and all statutory authority, rules and regulations,
powers, duties, functions, records, authorized positions, property, unexpended

1 balances of appropriations or authorizations, allocations or other funds,
2 transferred from the Division of Alcohol and Drug Abuse Prevention to the
3 Department of Human Services by Act 348 of 1985 are hereby transferred to the
4 Bureau of Alcohol and Drug Abuse Prevention of the Department of Health.

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6 SECTION 4. Any and all statutory authority, rules and regulations,
7 powers, duties, functions, records, authorized positions, property, unexpended
8 balances of appropriations or authorizations, allocations or other funds of
9 *the Division of Alcohol and Drug Abuse Prevention*, are hereby transferred to
10 the Bureau of Alcohol and Drug Abuse Prevention of the Department of Health.
11 The transfer shall include all employees, powers, duties, licenses,
12 privileges, equipment, vehicles, furniture, fixtures, supplies, books,
13 records, stock, goods, funds, unexpended appropriations and facilities of the
14 Division of Alcohol and Drug Abuse Prevention.

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16 SECTION 5. *Other divisions in the Department of Human Services shall*
17 *determine by class, title, and grade the number of positions in such*
18 *divisions, if any, devoted to Division of Alcohol and Drug Abuse Prevention*
19 *functions according to the Department of Human Services Cost Allocation plan.*
20 *Such divisions shall make available for transfer to the Bureau of Alcohol and*
21 *Drug Abuse Prevention positions of the same class, title, and grade in numbers*
22 *not to exceed those identified by the Department of Human Services Cost*
23 *Allocation Plan. Such divisions shall also make available for transfer to the*
24 *Bureau of Alcohol and Drug Abuse Prevention the equipment and furnishings*
25 *presently associated with positions identified by the Department of Human*
26 *Services Cost Allocation Plan as full-time equivalents for Division of Alcohol*
27 *and Drug Abuse Prevention functions. The affected divisions of the Department*
28 *of Human Services shall enter into a memorandum of understanding to implement*
29 *these transfers.*

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31 SECTION 6. All funds and appropriations set aside for the renovation of
32 the Benton Detoxification Center shall hereafter be transferred to the Bureau
33 of Alcohol and Drug Abuse Prevention of the Department of Health to be used
34 solely for the renovation of this center.

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

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

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SECTION 9. All laws and parts of laws in conflict with this act are hereby repealed.

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SECTION 10. EMERGENCY. It is hereby found and determined by the General Assembly that the Division of Alcohol and Drug Abuse Prevention should be transferred to the Department of Health; that the transfer should occur at the beginning of the next fiscal year; and that such transfer will not occur at the beginning of the next fiscal year unless this emergency clause is adopted. 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, 1993.

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23 /s/Senator Bradford

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