

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

# A Bill

SENATE BILL 911

4  
5 By: Senator B. Walker  
6 By: Representative J. Lewellen

## For An Act To Be Entitled

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9  
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"

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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.

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 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	
No. Code Title		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		

25  
 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.