

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.

State of Arkansas
83rd General Assembly
Regular Session, 2001

As Engrossed: S3/14/01

A Bill

SENATE BILL 226

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF FINANCE
AND ADMINISTRATION - ALCOHOLIC BEVERAGE CONTROL
ENFORCEMENT DIVISION FOR THE BIENNIAL PERIOD ENDING
JUNE 30, 2003; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF FINANCE
AND ADMINISTRATION - ALCOHOLIC BEVERAGE
CONTROL ENFORCEMENT DIVISION APPROPRIATION
FOR THE 2001-2003 BIENNIUM.

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

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

Item	Class	Title	Maximum Annual		
			Maximum No. of Employees	Salary Rate	
				Fiscal Years	
No.	Code			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		

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

ITEM NO.	FISCAL YEARS	
	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	<u>\$ 929,092</u>	<u>\$ 943,490</u>

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

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

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

SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause a fund balance to decline to less than fifty percent (50%) of the balance available on July 1, 2001, the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.
- 4) a statement certifying that the expenditure of fund balances will not jeopardize the financial health of the agency, nor result in a permanent depletion of the fund balance.

(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*