

1 State of Arkansas  
2 92nd General Assembly  
3 Fiscal Session, 2020  
4

# A Bill

HOUSE BILL 1030

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 - REGULATORY DIVISION FOR THE  
11 FISCAL YEAR ENDING JUNE 30, 2021; AND FOR OTHER  
12 PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF FINANCE AND  
16 ADMINISTRATION - REGULATORY DIVISION  
17 APPROPRIATION FOR THE 2020-2021 FISCAL  
18 YEAR.  
19  
20  
21

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

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 2020-2021 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
				2020-2021
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	

4  
 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 2020-2021 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.  
 13

14 SECTION 3. APPROPRIATION - ABC ADMINISTRATION - STATE OPERATIONS.  
 15 There is hereby appropriated, to the Department of Finance and  
 16 Administration, to be payable from the Miscellaneous Agencies Fund Account,  
 17 for personal services and operating expenses of the Department of Finance and  
 18 Administration - Alcoholic Beverage Control Division for the fiscal year  
 19 ending June 30, 2021, the following:  
 20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2020-2021</u>
23	(01) REGULAR SALARIES	\$662,121
24	(02) EXTRA HELP	7,000
25	(03) PERSONAL SERVICES MATCHING	221,366
26	(04) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	122,009
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>\$1,022,482</u></u>

33  
 34 SECTION 4. APPROPRIATION - ABC ADMINISTRATION - SPIRITUOUS AND VINOUS  
 35 BEVERAGES. There is hereby appropriated, to the Department of Finance and  
 36 Administration, to be payable from the Alcoholic Beverage Control Fund, for

1 promotion, education, training, alcohol safety awareness, enforcement  
 2 activities, equipment and vehicle purchases of the Department of Finance and  
 3 Administration - Alcoholic Beverage Control Division for the fiscal year  
 4 ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) ENFORCEMENT ACTIVITIES	<u>\$300,000</u>

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 10 SECTION 5. APPROPRIATION - ABC ADMINISTRATION - MEDICAL MARIJUANA  
 11 COMMISSION. There is hereby appropriated, to the Department of Finance and  
 12 Administration, to be payable from the Medical Marijuana Commission Fund, for  
 13 refunds, reimbursements and contingency related to agency medical marijuana  
 14 expenses of the Department of Finance and Administration - Alcoholic Beverage  
 15 Control Division for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REFUNDS/REIMBURSEMENTS	\$3,500,000
(02) CONTINGENCY	2,000,000
(03) MEDICAL MARIJUANA EXPENSES	<u>140,771</u>
TOTAL AMOUNT APPROPRIATED	<u>\$5,640,771</u>

23  
 24 SECTION 6. REGULAR SALARIES - ABC ENFORCEMENT - STATE OPERATIONS.  
 25 There is hereby established for the Department of Finance and Administration  
 26 - Alcoholic Beverage Control Enforcement Division for the 2020-2021 fiscal  
 27 year, the following maximum number of regular employees.

Item Class	Maximum	Maximum Annual
<u>No. Code Title</u>	<u>No. of</u>	<u>Salary Rate</u>
<u>No. Code Title</u>	<u>Employees</u>	<u>Fiscal Year</u>
<u>No. Code Title</u>	<u>Employees</u>	<u>2020-2021</u>
(1) G280C ABC ENFORCEMENT DIRECTOR	1	GRADE GS15
(2) X215C DFA ABC ENFORCEMENT OFFICER SUPERVSR	4	GRADE GS08
(3) X085C DFA ABC ENFORCEMENT OFFICER	21	GRADE GS07
(4) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE GS04

1 MAX. NO. OF EMPLOYEES 27

2

3 SECTION 7. APPROPRIATION - ABC ENFORCEMENT - STATE OPERATIONS. There  
 4 is hereby appropriated, to the Department of Finance and Administration, to  
 5 be payable from the Miscellaneous Agencies Fund Account, for personal  
 6 services and operating expenses of the Department of Finance and  
 7 Administration - Alcoholic Beverage Control Enforcement Division for the  
 8 fiscal year ending June 30, 2021, the following:

9

10	ITEM	FISCAL YEAR
11	<u>NO.</u>	<u>2020-2021</u>
12	(01) REGULAR SALARIES	\$1,269,500
13	(02) PERSONAL SERVICES MATCHING	444,592
14	(03) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	175,000
16	(B) CONF. & TRAVEL	25,000
17	(C) PROF. FEES	0
18	(D) CAP. OUTLAY	0
19	(E) DATA PROC.	<u>0</u>
20	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,914,092</u></u>

21

22 SECTION 8. REGULAR SALARIES - DIVISION OF RACING. There is hereby  
 23 established for the Department of Finance and Administration - Division of  
 24 Racing for the 2020-2021 fiscal year, the following maximum number of regular  
 25 employees.

26

27		Maximum Annual
28		Salary Rate
29	Item Class	Fiscal Year
30	<u>No. Code Title</u>	<u>2020-2021</u>
		Maximum
		No. of
		Employees
31	(1) G287C RACING COMMISSION DIRECTOR	1
32	(2) B009N DFA DOG RACING VETERINARIAN	1
33	(3) X069C DFA RACING SUPERVISOR	3
34	(4) C037C ADMINISTRATIVE ANALYST	2
35	(5) C022C BUSINESS OPERATIONS SPECIALIST	1
36	(6) X142C DFA RACING COMMISSION JUDGE	2

1	(7) A104C DFA RACING COMMISSION OFFICE AUDITOR	1	GRADE GS04
2	(8) B110C VETERINARIAN ASSISTANT	<u>4</u>	GRADE GS03
3	MAX. NO. OF EMPLOYEES	15	

4

5 SECTION 9. EXTRA HELP - DIVISION OF RACING. There is hereby

6 authorized, for the Department of Finance and Administration - Division of

7 Racing for the 2020-2021 fiscal year, the following maximum number of part-

8 time or temporary employees, to be known as "Extra Help", payable from funds

9 appropriated herein for such purposes: thirty-one (31) temporary or part-

10 time employees, when needed, at rates of pay not to exceed those provided in

11 the Uniform Classification and Compensation Act, or its successor, or this

12 act for the appropriate classification.

13

14 SECTION 10. APPROPRIATION - DIVISION OF RACING - STATE OPERATIONS.

15 There is hereby appropriated, to the Department of Finance and

16 Administration, to be payable from the Miscellaneous Agencies Fund Account,

17 for personal services and operating expenses of the Department of Finance and

18 Administration - Division of Racing for the fiscal year ending June 30, 2021,

19 the following:

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2020-2021</u>
23	(01) REGULAR SALARIES	\$741,728
24	(02) EXTRA HELP	460,000
25	(03) PERSONAL SERVICES MATCHING	331,620
26	(04) OVERTIME	10,000
27	(05) MAINT. & GEN. OPERATION	
28	(A) OPER. EXPENSE	290,914
29	(B) CONF. & TRAVEL	7,500
30	(C) PROF. FEES	50,000
31	(D) CAP. OUTLAY	0
32	(E) DATA PROC.	<u>0</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$1,891,762</u>

34

35 SECTION 11. APPROPRIATION - DIVISION OF RACING - CASH OPERATIONS.

36 There is hereby appropriated, to the Department of Finance and

Administration, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Finance and Administration - Division of Racing for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) EXTRA HELP	\$65,000
(02) PERSONAL SERVICES MATCHING	14,991
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	231,000
(B) CONF. & TRAVEL	5,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) REFUND/REIMBURSEMENTS	<u>5,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$320,991</u></u>

SECTION 12. APPROPRIATION - DIVISION OF RACING - PURSES AND AWARDS TRANSFERS. There is hereby appropriated, to the Department of Finance and Administration - Division of Racing, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for the transfers to the Department of Finance and Administration - Division of Racing Purses and Awards Fund for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REFUNDS, INVESTMENTS, TRANSFERS	<u><u>\$5,000,000</u></u>

SECTION 13. REGULAR SALARIES - ARKANSAS TOBACCO CONTROL. There is hereby established for the Department of Finance and Administration - Arkansas Tobacco Control for the 2020-2021 fiscal year, the following maximum number of regular employees.

Maximum Annual

Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Year 2020-2021
4	(1)	N113N ATC DIRECTOR	1	GRADE GS15
5	(2)	G270C ATC DEPUTY DIRECTOR	1	GRADE GS11
6	(3)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
7	(4)	G246C ATC BRANCH MANAGER	1	GRADE GS10
8	(5)	T108C ATC CHIEF CRIMINAL INVESTIGATIONS SUPV.	1	GRADE GS09
9	(6)	A060C SENIOR AUDITOR	2	GRADE GS08
10	(7)	C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
11	(8)	X074C ATC AUDITOR/INVESTIGATOR	2	GRADE GS06
12	(9)	X196C ATC SENIOR ENFORCEMENT AGENT	4	GRADE GS06
13	(10)	R027C BUDGET SPECIALIST	1	GRADE GS06
14	(11)	E046C TRAINING INSTRUCTOR	1	GRADE GS06
15	(12)	X131C ATC ENFORCEMENT AGENT	11	GRADE GS05
16	(13)	C056C ADMINISTRATIVE SPECIALIST III	<u>3</u>	GRADE GS04
17		MAX. NO. OF EMPLOYEES	31	

SECTION 14. APPROPRIATION - ARKANSAS TOBACCO CONTROL - OPERATIONS.

There is hereby appropriated, to the Department of Finance and Administration, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of Finance and Administration - Arkansas Tobacco Control for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) REGULAR SALARIES	\$418,221
(02) PERSONAL SERVICES MATCHING	135,873
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	119,918
(B) CONF. & TRAVEL	0
(C) PROF. FEES	5,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$679,012</u></u>

1  
 2 SECTION 15. APPROPRIATION - ARKANSAS TOBACCO CONTROL - SALES TO MINORS  
 3 ENFORCEMENT - CASH. There is hereby appropriated, to the Department of  
 4 Finance and Administration, to be payable from the cash fund deposited in the  
 5 State Treasury as determined by the Chief Fiscal Officer of the State, for  
 6 personal services, operating expenses, and the purchase of promotional items  
 7 of the Department of Finance and Administration - Arkansas Tobacco Control -  
 8 Sales to Minors Enforcement - Cash for the fiscal year ending June 30, 2021,  
 9 the following:

11 ITEM	FISCAL YEAR
12 <u>NO.</u>	<u>2020-2021</u>
13 (01) REGULAR SALARIES	\$517,312
14 (02) PERSONAL SERVICES MATCHING	179,772
15 (03) MAINT. & GEN. OPERATION	
16 (A) OPER. EXPENSE	232,072
17 (B) CONF. & TRAVEL	0
18 (C) PROF. FEES	1,700
19 (D) CAP. OUTLAY	0
20 (E) DATA PROC.	0
21 (04) PROMOTIONAL ITEMS	<u>5,000</u>
22 TOTAL AMOUNT APPROPRIATED	<u><u>\$935,856</u></u>

23  
 24 SECTION 16. APPROPRIATION - ARKANSAS TOBACCO CONTROL - TOBACCO  
 25 INSPECTION PROGRAM - FEDERAL. There is hereby appropriated, to the  
 26 Department of Finance and Administration, to be payable from the federal  
 27 funds as designated by the Chief Fiscal Officer of the State, for personal  
 28 services and operating expenses of the Department of Finance and  
 29 Administration - Arkansas Tobacco Control - Tobacco Inspection Program -  
 30 Federal for the fiscal year ending June 30, 2021, the following:

32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2020-2021</u>
34 (01) REGULAR SALARIES	\$359,234
35 (02) PERSONAL SERVICES MATCHING	127,089
36 (03) OVERTIME	17,041



1	(04) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	150,000
3	(B) CONF. & TRAVEL	5,000
4	(C) PROF. FEES	31,242
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$689,606</u></u>

8

9           SECTION 17. APPROPRIATION - ARKANSAS TOBACCO CONTROL - CIGARETTE FIRE

10 SAFETY AND PREVENTION. There is hereby appropriated, to the Department of

11 Finance and Administration, to be payable from the Cigarette Fire Safety

12 Standard Fund, for personal services and operating expenses to support fire

13 safety and prevention programs of the Department of Finance and

14 Administration - Arkansas Tobacco Control for the fiscal year ending June 30,

15 2021, the following:

16		
17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2020-2021</u>
19	(01) FIRE SAFETY AND PREVENTION	<u><u>\$50,000</u></u>

20

21           SECTION 18. APPROPRIATION - ARKANSAS TOBACCO CONTROL - REVENUE

22 ENFORCEMENT. There is hereby appropriated, to the Department of Finance and

23 Administration - Arkansas Tobacco Control, to be payable from the Arkansas

24 Tobacco Control Revenue Fund, for personal services and operating expenses

25 related to carrying out the purposes authorized in 19-6-831 for the fiscal

26 year ending June 30, 2021, the following:

27		
28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2020-2021</u>
30	(01) REGULAR SALARIES	\$159,793
31	(02) PERSONAL SERVICES MATCHING	51,968
32	(03) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	93,817
34	(B) CONF. & TRAVEL	5,000
35	(C) PROF. FEES	500
36	(D) CAP. OUTLAY	0

1	(E) DATA PROC.	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$311,078</u></u>

3

4 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ABC

6 ADMINISTRATION - CONTINGENCY APPROPRIATION TRANSFER AUTHORITY. The Chief

7 Fiscal Officer of the State shall transfer appropriation as needed from the

8 Contingency Appropriation authorized in this Act to the Alcoholic Beverage

9 Control Division of the Department of Finance and Administration, the

10 Department of Health and/or any other state agency incurring expenses for the

11 implementation, administration, or enforcement of the Arkansas Medical

12 Marijuana Amendment of 2016, to pay for personal services, operating

13 expenses, professional fees, equipment, monitoring, auditing, and other

14 miscellaneous expenses.

15 The provisions of this section shall be in effect only from July 1, ~~2019~~

16 2020 through June 30, ~~2020~~ 2021.

17

18 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DIVISION

20 OF RACING - EXTRA HELP. There is hereby authorized, for the Department of

21 Finance and Administration - Division of Racing for the ~~2019-2020~~ 2020-2021

22 fiscal year, the maximum number of thirty-one (31) part-time or temporary

23 employees, to be known as "Extra Help", payable from funds appropriated

24 herein for such purposes, such employees shall be authorized to work over

25 1,000 hours per year.

26 The provisions of this section shall be in effect only from July 1, ~~2019~~

27 2020 through June 30, ~~2020~~ 2021.

28

29 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS

31 TOBACCO CONTROL - PROMOTIONAL ITEMS. Arkansas Tobacco Control is hereby

32 authorized to purchase from Maintenance & General Operations Classifications

33 in the Operations Appropriation and Sales to Minors Enforcement - Cash

34 Appropriation provided by this Act, up to an amount not to exceed \$5,000 each

35 fiscal year for promotional items, authorized by the Director of the Agency,

36 and with the approval of the Chief Fiscal Officer of the State, to meet

1 Arkansas Tobacco Control Merchant Education needs.

2 The provisions of this section shall be in effect only from July 1, 2019  
3 2020 through June 30, ~~2020~~ 2021.

4  
5 SECTION 22. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
6 authorized by this act shall be limited to the appropriation for such agency  
7 and funds made available by law for the support of such appropriations; and  
8 the restrictions of the State Procurement Law, the General Accounting and  
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
10 Procedures and Restrictions Act, or their successors, and other fiscal  
11 control laws of this State, where applicable, and regulations promulgated by  
12 the Department of Finance and Administration, as authorized by law, shall be  
13 strictly complied with in disbursement of said funds.

14  
15 SECTION 23. LEGISLATIVE INTENT. It is the intent of the General  
16 Assembly that any funds disbursed under the authority of the appropriations  
17 contained in this act shall be in compliance with the stated reasons for  
18 which this act was adopted, as evidenced by the Agency Requests, Executive  
19 Recommendations and Legislative Recommendations contained in the budget  
20 manuals prepared by the Department of Finance and Administration, letters, or  
21 summarized oral testimony in the official minutes of the Arkansas Legislative  
22 Council or Joint Budget Committee which relate to its passage and adoption.

23  
24 SECTION 24. EMERGENCY CLAUSE. It is found and determined by the  
25 General Assembly, that the Constitution of the State of Arkansas prohibits  
26 the appropriation of funds for more than a one (1) year period; that the  
27 effectiveness of this Act on July 1, 2020 is essential to the operation of  
28 the agency for which the appropriations in this Act are provided, and that in  
29 the event of an extension of the legislative session, the delay in the  
30 effective date of this Act beyond July 1, 2020 could work irreparable harm  
31 upon the proper administration and provision of essential governmental  
32 programs. Therefore, an emergency is hereby declared to exist and this Act  
33 being necessary for the immediate preservation of the public peace, health  
34 and safety shall be in full force and effect from and after July 1, 2020.