

DFA - ABC ADMINISTRATION

Enabling Laws

Act 28 of 2012
ACA §3-2-101 - §3-2-412

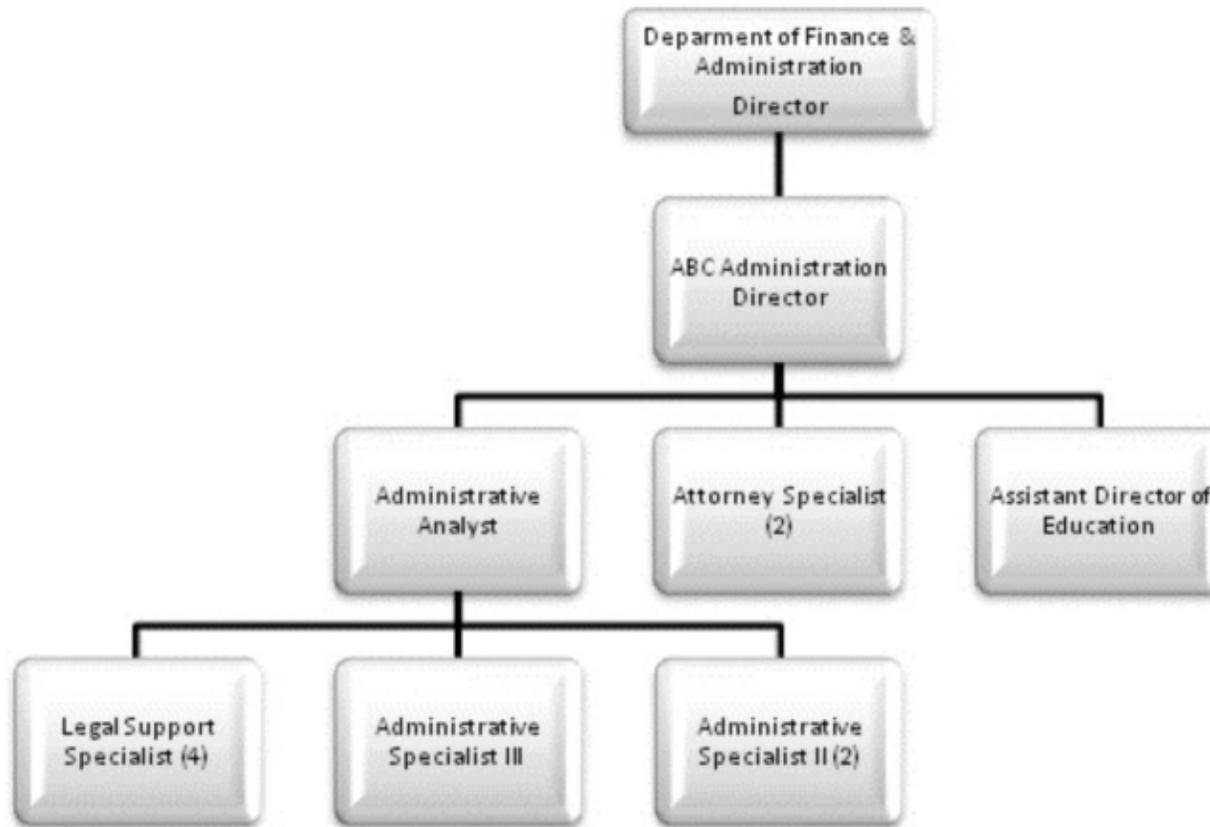
History and Organization

The Alcoholic Beverage Control Division has as its mission, such duties and assignments as have been given to it by the Arkansas General Assembly over the years. Those powers and duties can be briefly described as being the regulation, supervision and control of the manufacture, distribution and sale of all alcoholic beverages and the issuance of permits, and the regulation thereof, in pursuit of those duties and powers.

Established with the creation of the Department of Alcoholic Beverage Control (Act 159 of 1951) the Alcoholic Beverage Control Board originally consisted of three members appointed by the Governor to serve a six year term. Membership on the Board was increased to five members with the passage of Act 343 of 1971. The Board did have statutory authority to hire the Director of the Alcoholic Beverage Control Administration Division. Since 1971, the Director has been appointed by the Director of Department of Finance and Administration with the approval of the Governor.

The Alcoholic Beverage Control Division has adopted, through statutory processes, rules and regulations which compliment, but do not contradict, laws provided by the Arkansas General Assembly. The Alcoholic Beverage Control Division receives applications, processes those applications and, depending upon whether the qualifications are met as established by law and by regulation, the permit may be issued to the applicant.

In summary, the mission of the Alcoholic Beverage Control Division is to exercise supervision and control over a system which allows for the legal distribution of alcoholic beverage products in the State of Arkansas.



Agency Commentary

The Alcoholic Beverage Control Administration Division of the Department of Finance and Administration supervises, regulates and controls the manufacture, transportation, dispensing, sale and consumption of alcoholic beverages in the State of Arkansas.

The Alcoholic Beverage Control Administration Division is funded from general revenue. The current State Operations appropriation level is sufficient for FY14 and FY15.

ABC Administration Cash Operations appropriation level is sufficient for FY14 and FY15.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
DFA - ABC ADMINISTRATION
FOR THE YEAR ENDED JUNE 30, 2010

Findings

Recommendations

Audit findings are reported under DFA-Administrative Services.

State Contracts Over \$25,000 Awarded To Minority Owned Businesses Fiscal Year 2012

None

Employment Summary

	Male	Female	Total	%
White Employees	3	5	8	80 %
Black Employees	0	2	2	20 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			2	20 %
Total Employees			10	100 %

Publications

A.C.A. 25-1-204

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
ABC Rules and Regulations	None	N	N	600	To provide ABC Rules and Regulations information to customers with ABC permits. Information also available @ www.dfa.arkansas.gov/offices/abc/rules .

Department Appropriation Summary

Historical Data

Agency Request and Executive Recommendation

Appropriation	2011-2012		2012-2013		2012-2013		2013-2014						2014-2015					
	Actual	Pos	Budget	Pos	Authorized	Pos	Base Level	Pos	Agency	Pos	Executive	Pos	Base Level	Pos	Agency	Pos	Executive	Pos
261 ABC Administration - State Operations	784,458	11	833,089	12	857,790	12	862,721	12	862,721	12	862,721	12	862,721	12	862,721	12	862,721	12
911 ABC Administration - Cash Operations	2,030	0	7,000	0	10,964	0	7,000	0	7,000	0	7,000	0	7,000	0	7,000	0	7,000	0
Total	786,488	11	840,089	12	868,754	12	869,721	12										

Funding Sources		%		%		%		%		%		%		%		%
Fund Balance 4000005	5,372	0.7	4,245	0.5			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
General Revenue 4000010	784,458	99.2	833,089	99.2			862,721	99.8	862,721	99.8	862,721	99.8	862,721	99.8	862,721	99.8
Cash Fund 4000045	830	0.1	2,755	0.3			2,000	0.2	2,000	0.2	2,000	0.2	2,000	0.2	2,000	0.2
Interest 4000300	73	0.0	0	0.0			0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Total Funds	790,733	100.0	840,089	100.0			864,721	100.0								
Excess Appropriation/(Funding)	(4,245)		0				5,000		5,000		5,000		5,000		5,000	
Grand Total	786,488		840,089				869,721		869,721		869,721		869,721		869,721	

Agency Position Usage Report

FY2010 - 2011						FY2011 - 2012						FY2012 - 2013					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
10	10	0	10	0	0.00 %	12	10	2	12	0	16.67 %	12	10	2	12	0	16.67 %

Analysis of Budget Request

Appropriation: 261 - ABC Administration - State Operations

Funding Sources: HUA - Miscellaneous Agencies Fund

ABC administers the regulation, supervision and control of the manufacture, distribution and sale of all alcoholic beverages and the issuance of permits, and the regulation thereof.

General revenue funds 100% of the Alcoholic Beverage Control Administration's operating budget. Currently 89% of the Agency's budget is personnel related costs with the remaining 11% maintenance and operating expenses.

Base Level Regular Salaries and Personal Services Matching includes Career Service payments for eligible employees. Personal Services Matching also includes a \$20 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$410 per month. Base Level salaries and matching do not include appropriation for a Cost of Living Adjustment or Merit Pay Increases.

The Agency is requesting Base Level of \$862,721 each year of the 2013-2015 Biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 261 - ABC Administration - State Operations

Funding Sources: HUA - Miscellaneous Agencies Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2011-2012 Actual	2012-2013 Budget	2012-2013 Authorized	2013-2014			2014-2015		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	556,574	580,100	587,687	580,100	580,100	580,100	580,100	580,100	580,100
#Positions		11	12	12	12	12	12	12	12	12
Extra Help	5010001	3,488	3,600	3,600	3,600	3,600	3,600	3,600	3,600	3,600
#Extra Help		1	1	1	1	1	1	1	1	1
Personal Services Matching	5010003	154,514	156,303	173,417	185,935	185,935	185,935	185,935	185,935	185,935
Operating Expenses	5020002	69,085	88,100	88,100	88,100	88,100	88,100	88,100	88,100	88,100
Conference & Travel Expenses	5050009	797	4,986	4,986	4,986	4,986	4,986	4,986	4,986	4,986
Professional Fees	5060010	0	0	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		784,458	833,089	857,790	862,721	862,721	862,721	862,721	862,721	862,721
Funding Sources										
General Revenue	4000010	784,458	833,089		862,721	862,721	862,721	862,721	862,721	862,721
Total Funding		784,458	833,089		862,721	862,721	862,721	862,721	862,721	862,721
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		784,458	833,089		862,721	862,721	862,721	862,721	862,721	862,721

Analysis of Budget Request

Appropriation: 911 - ABC Administration - Cash Operations

Funding Sources: NAB - ABC Administration - Cash in Treasury

This appropriation is used by the Alcoholic Beverage Control (ABC) Administration Division for Operating Expenses associated with publishing the ABC "Rules, Regulations and Decisions" handbook. Cash funds received from the sale of ABC handbooks provide funding for the appropriation.

The Agency is requesting Base Level of \$7,000 each year of the 2013-2015 Biennium.

The Executive Recommendation provides for the Agency Request. Expenditure of appropriation is contingent upon available funding.

Appropriation Summary

Appropriation: 911 - ABC Administration - Cash Operations

Funding Sources: NAB - ABC Administration - Cash in Treasury

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2011-2012 Actual	2012-2013 Budget	2012-2013 Authorized	2013-2014			2014-2015		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses	5020002	2,030	7,000	10,964	7,000	7,000	7,000	7,000	7,000	7,000
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0	0	0
Professional Fees	5060010	0	0	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		2,030	7,000	10,964	7,000	7,000	7,000	7,000	7,000	7,000
Funding Sources										
Fund Balance	4000005	5,372	4,245		0	0	0	0	0	0
Cash Fund	4000045	830	2,755		2,000	2,000	2,000	2,000	2,000	2,000
Interest	4000300	73	0		0	0	0	0	0	0
Total Funding		6,275	7,000		2,000	2,000	2,000	2,000	2,000	2,000
Excess Appropriation/(Funding)		(4,245)	0		5,000	5,000	5,000	5,000	5,000	5,000
Grand Total		2,030	7,000		7,000	7,000	7,000	7,000	7,000	7,000