

Stricken language will be deleted and underlined language will be added.
Act 227 of the Fiscal Session

1 State of Arkansas *As Engrossed: S4/20/16 S5/3/16*
2 90th General Assembly **A Bill**
3 Fiscal Session, 2016

SENATE BILL 44

4
5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE ARKANSAS TOBACCO
10 CONTROL BOARD FOR THE FISCAL YEAR ENDING JUNE 30,
11 2017; AND FOR OTHER PURPOSES.
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13

14 **Subtitle**

15 AN ACT FOR THE ARKANSAS TOBACCO CONTROL
16 BOARD APPROPRIATION FOR THE 2016-2017
17 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Arkansas Tobacco Control Board for the 2016-2017 fiscal year, the following
24 maximum number of regular employees.
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26				Maximum Annual	
27			Maximum	Salary Rate	
28	Item	Class	No. of	Fiscal Year	
29	No.	Code	Title	Employees	2016-2017
30	(1)	N113N	ATC DIRECTOR	1	GRADE N905
31	(2)	G025C	ATTORNEY SUPERVISOR	1	GRADE C127
32	(3)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
33	(4)	G246C	ATC BRANCH MANAGER	2	GRADE C123
34	(5)	X074C	ATC AUDITOR/INVESTIGATOR	2	GRADE C119
35	(6)	X196C	ATC FDA SENIOR ENFORCEMENT AGENT	3	GRADE C118
36	(7)	R027C	BUDGET SPECIALIST	1	GRADE C117



1	(8)	X131C	ATC ENFORCEMENT AGENT	14	GRADE C116
2	(9)	E046C	TRAINING INSTRUCTOR	1	GRADE C116
3	(10)	C037C	ADMINISTRATIVE ANALYST	2	GRADE C115
4	(11)	C056C	ADMINISTRATIVE SPECIALIST III	<u>3</u>	GRADE C112
5			MAX. NO. OF EMPLOYEES	31	

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7 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
8 to the Arkansas Tobacco Control Board, to be payable from the Miscellaneous
9 Agencies Fund Account, for personal services and operating expenses of the
10 Arkansas Tobacco Control Board - Operations for the fiscal year ending June
11 30, 2017, the following:

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13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2016-2017</u>
15	(01) REGULAR SALARIES	\$457,745
16	(02) PERSONAL SERVICES MATCHING	152,907
17	(03) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	268,268
19	(B) CONF. & TRAVEL	10,000
20	(C) PROF. FEES	10,000
21	(D) CAP. OUTLAY	0
22	(E) DATA PROC.	<u>0</u>
23	TOTAL AMOUNT APPROPRIATED	<u><u>\$898,920</u></u>

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25 SECTION 3. APPROPRIATION - SALES TO MINORS ENFORCEMENT - CASH. There
26 is hereby appropriated, to the Arkansas Tobacco Control Board, to be payable
27 from the cash fund deposited in the State Treasury as determined by the Chief
28 Fiscal Officer of the State, for personal services, operating expenses, and
29 the purchase of promotional items of the Arkansas Tobacco Control Board -
30 Sales to Minors Enforcement - Cash for the fiscal year ending June 30, 2017,
31 the following:

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33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2016-2017</u>
35	(01) REGULAR SALARIES	\$502,824
36	(02) PERSONAL SERVICES MATCHING	174,822

1	(03) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	212,272
3	(B) CONF. & TRAVEL	0
4	(C) PROF. FEES	1,700
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	0
7	(04) PROMOTIONAL ITEMS	<u>5,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$896,618</u></u>

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10 SECTION 4. APPROPRIATION - TOBACCO INSPECTION PROGRAM - FEDERAL. There
 11 is hereby appropriated, to the Arkansas Tobacco Control Board, to be payable
 12 from the federal funds as designated by the Chief Fiscal Officer of the
 13 State, for personal services and operating expenses of the Arkansas Tobacco
 14 Control Board - Tobacco Inspection Program - Federal for the fiscal year
 15 ending June 30, 2017, the following:

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17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2016-2017</u>
19	(01) REGULAR SALARIES	\$401,376
20	(02) PERSONAL SERVICES MATCHING	140,508
21	(03) OVERTIME	17,041
22	(04) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	345,583
24	(B) CONF. & TRAVEL	5,000
25	(C) PROF. FEES	31,242
26	(D) CAP. OUTLAY	0
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u><u>\$940,750</u></u>

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30 SECTION 5. APPROPRIATION - ATC CIGARETTE FIRE SAFETY AND PREVENTION.
 31 There is hereby appropriated, to the Arkansas Tobacco Control Board, to be
 32 payable from the Cigarette Fire Safety Standard Fund, for personal services
 33 and operating expenses to support fire safety and prevention programs of the
 34 Arkansas Tobacco Control Board - Arkansas Tobacco Control Cigarette Fire
 35 Safety and Prevention for the fiscal year ending June 30, 2017, the
 36 following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) FIRE SAFETY & PREVENTION	<u>\$50,000</u>

SECTION 6. APPROPRIATION - ENFORCEMENT. There is hereby appropriated, to the Arkansas Tobacco Control Board, to be payable from the Arkansas Tobacco Control Revenue Fund, for personal services and operating expenses related to carrying out the purposes authorized in § 19-6-831 for the fiscal year ending June 30, 2017, the following:

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2016-2017</i></u>
<i>(01) REGULAR SALARIES</i>	<i>\$42,386</i>
<i>(02) PERSONAL SERVICES MATCHING</i>	<i>15,728</i>
<i>(03) OVERTIME</i>	<i>0</i>
<i>(04) MAINT. & GEN. OPERATION</i>	
<i>(A) OPER. EXPENSE</i>	<i>15,770</i>
<i>(B) CONF. & TRAVEL</i>	<i>0</i>
<i>(C) PROF. FEES</i>	<i>500</i>
<i>(D) CAP. OUTLAY</i>	<i>0</i>
<i>(E) DATA PROC.</i>	<u><i>0</i></u>
<i>TOTAL AMOUNT APPROPRIATED</i>	<u><u><i>\$74,384</i></u></u>

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROMOTIONAL ITEMS. Arkansas Tobacco Control is hereby authorized to purchase from Maintenance & General Operations Classifications in the Operations Appropriation and Sales to Minor Enforcement - Cash provided by this Act, up to an amount not to exceed \$5,000 each fiscal year for promotional items, authorized by the Director of the Agency to meet Arkansas Tobacco Control Merchant Education needs.

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

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

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10 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General
11 Assembly that any funds disbursed under the authority of the appropriations
12 contained in this act shall be in compliance with the stated reasons for
13 which this act was adopted, as evidenced by the Agency Requests, Executive
14 Recommendations and Legislative Recommendations contained in the budget
15 manuals prepared by the Department of Finance and Administration, letters, or
16 summarized oral testimony in the official minutes of the Arkansas Legislative
17 Council or Joint Budget Committee which relate to its passage and adoption.

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19 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the
20 General Assembly, that the Constitution of the State of Arkansas prohibits
21 the appropriation of funds for more than a one (1) year period; that the
22 effectiveness of this Act on July 1, 2016 is essential to the operation of
23 the agency for which the appropriations in this Act are provided, and that in
24 the event of an extension of the legislative session, the delay in the
25 effective date of this Act beyond July 1, 2016 could work irreparable harm
26 upon the proper administration and provision of essential governmental
27 programs. Therefore, an emergency is hereby declared to exist and this Act
28 being necessary for the immediate preservation of the public peace, health
29 and safety shall be in full force and effect from and after July 1, 2016.

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31 */s/Joint Budget Committee*

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34 **APPROVED: 05/09/2016**