

Hall of the House of Representatives
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of House Bill No. 2522

"TO LEVY AN ADDITIONAL TAX ON CIGARETTES TO ENSURE FUNDING OF THE
BREAST CANCER RESEARCH FUND AND ADDITIONAL PROGRAMS."

Amendment No. 1 to House Bill No. 2522.

Amend House Bill No. 2522 as originally introduced:

Page 1, line 9 delete "LEVY AN" and substitute "AMEND THE DISTRIBUTION OF THE"

And

Page 1, line 16 delete "LEVY AN" and substitute "AMEND THE DISTRIBUTION OF THE"

And

Page 1, delete Section 1 and substitute:

" SECTION 1. Arkansas Code 26-57-236(g), as amended by Act 434 of 1997, pertaining to stamp deputies, is amended to read as follows:
(g) A commission shall be paid by the director to stamp deputies for the sales and collection of cigarette tax stamps and for affixing the said tax stamps to each package of cigarettes. The commission shall not be less than four and four tenths percent (4.4%) ~~three and eight tenths percent (3.8%)~~ of the total aggregate cigarette tax collected.

SECTION 2. Arkansas Code 26-57-1103, pertaining to the distribution of the proceeds of an additional tobacco tax, is amended to read as follows:

Ten percent (10%) ~~Twenty nine percent (29%)~~ of all moneys collected from the additional tax levied in §§26-57-1101 and 26-57-1102 shall be deposited in the State Treasury as general revenues ~~special revenue~~, 50% of which shall be credited to the Aging and Adult Services Fund Account of the Department of Human Services Fund to be used to assist the Meals-on-Wheels program; and 50% of which shall be credited to the Department of Human Services Grants Fund Account to be used to implement a Prescription Drug for the Elderly Waiver Program. In the event, however, that the federal government implements a prescription drug assistance program that provides essentially the same benefits or greater to the same eligible clients as the Prescription Drug

Waiver for the Elderly Program, the funds set aside herein for the Prescription Drug Waiver for the Elderly Program shall be credited, in lieu thereof, to the Breast Cancer Control Fund and to the Breast Cancer Research Fund in the same proportions as set out in Arkansas Code 26-57-1106(a).

SECTION 3. Arkansas Code 26-57-1106 concerning the distribution of funds for breast cancer research and control, is amended to read as follows:

26-57-1106. Distribution of funds for breast cancer research and control - Allocation of moneys.

(a) ~~Ninety percent (90%) of all~~ All remaining moneys collected from the additional tax levied in §§ 26-57-1101 and 26-57-1102 shall be deposited in the State Treasury as special revenues to be distributed as follows:

(1) Twenty percent (20%) shall be credited to the Breast Cancer Research Fund, which is hereby created on the books of the State Treasurer, State Auditor and the Chief Fiscal Officer of the State to be used exclusively for the purposes set forth in ~~§ 20-15-303~~ §20-15-1303; and

(2) Eighty percent (80%) shall be credited to the Breast Cancer Control Fund which is hereby created on the books of the State Treasurer, State Auditor and the Chief Fiscal Officer of the State to be used exclusively for the purposes set forth in ~~§ 20-15-304~~ §20-15-1304 and, at the option of the Department of Health in an amount not to exceed the amount appropriated by the General Assembly for such purpose, for cervical cancer control. The Director of the Department of Health shall be the disbursing officer for the Breast Cancer Control Fund and the Chancellor of the University of Arkansas for Medical Sciences shall be the disbursing officer for the Breast Cancer Research Fund.

(b) The moneys in the Breast Cancer Research Fund are to be allocated to the Breast Cancer Research Program for the awarding of grants, chairs and contracts to researchers for research with respect to the cause, cure, treatment, prevention, and earlier detection of breast cancer and for developing leadership in research in Arkansas.

(c) The moneys in the Breast Cancer Control Fund for the control of breast cancer are to be allocated according to the recommendations of the Breast Cancer Control Advisory Board who shall establish the scope of services of the program and programmatic priorities based on the analysis of available information. The advisory board shall also be responsible for developing eligibility criterion to be applied in evaluating requests for breast cancer control financial assistance from screened women who are found to be in need of diagnostic and treatment services. The advisory board shall also review contractual agreements for breast cancer control with providers who will be rendering services through the program.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly that changes in distributions and funding sources must take place at the beginning of the state fiscal year in order to maintain approved accounting standards and to reduced confusion and that in the event of an extended session, this act may not take effect until after July 1 thereby placing the funding of the breast cancer program in jeopardy. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become

effective on July 1, 2001. "

The Amendment was read _____

By: Senator Bisbee
BWG/BWG - 032720010920
BWG149

Chief Clerk