

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.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 1458

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE ARKANSAS TOBACCO
11 CONTROL BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2003; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE ARKANSAS TOBACCO CONTROL
16 BOARD APPROPRIATION FOR THE 2001-2003
17 BIENNIAL PERIOD.
18
19
20

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

23 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
24 Tobacco Control Board for the 2001-2003 biennium, the following maximum number
25 of regular employees whose salaries shall be governed by the provisions of the
26 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,
28 that any position to which a specific maximum annual salary is set out herein
29 in dollars, shall be exempt from the provisions of said Uniform Classification
30 and Compensation Act. All persons occupying positions authorized herein are
31 hereby governed by the provisions of the Regular Salaries Procedures and
32 Restrictions Act (Arkansas Code §21-5-101), or its successor.
33

		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
No.	Code Title	Employees	2001-2002 2002-2003

1	(1)	9055	TCB DIRECTOR	1	\$79,843	\$81,918
2	(2)	9056	TCB AUDITOR/INVESTIGATOR	2	\$45,625	\$46,811
3	(3)	9057	TCB SECRETARY	<u>2</u>	\$22,812	\$23,405
4			MAX. NO. OF EMPLOYEES	5		

5
 6 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas
 7 Tobacco Control Board for the 2001-2003 biennium, the following maximum number
 8 of part-time or temporary employees, to be known as "Extra Help", payable from
 9 funds appropriated herein for such purposes: five (5) temporary or part-time
 10 employees, when needed, at rates of pay not to exceed those provided in the
 11 Uniform Classification and Compensation Act, or its successor, or this act for
 12 the appropriate classification.
 13

14 SECTION 3. APPROPRIATION. There is hereby appropriated, to the Arkansas
 15 Tobacco Control Board, to be payable from the State General Services Fund
 16 Account, for personal services and operating expenses of the Arkansas Tobacco
 17 Control Board for the biennial period ending June 30, 2003, the following:
 18

19	ITEM	FISCAL YEARS	
20	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
21	(01) REGULAR SALARIES	\$ 216,717	\$ 222,350
22	(02) EXTRA HELP	14,990	14,990
23	(03) PERSONAL SERV MATCHING	54,349	55,346
24	(04) MAINT. & GEN. OPERATION		
25	(A) OPER. EXPENSE	80,000	80,000
26	(B) CONF. & TRAVEL	5,200	5,200
27	(C) PROF. FEES	5,000	5,000
28	(D) CAP. OUTLAY	0	0
29	(E) DATA PROC.	<u>0</u>	<u>0</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$ 376,256</u>	<u>\$ 382,886</u>

31
 32 SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 33 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
 34 appropriations as provided in this Act, the agency disbursing officer shall
 35 monitor the level of fund balances in relation to expenditures on a monthly
 36 basis. If any proposed expenditures would cause a fund balance to decline to

1 less than fifty percent (50%) of the balance available on July 1, 2001, the
2 disbursing officer shall immediately notify the executive head of the agency.

3 Prior to any obligations being made under these circumstances, the agency
4 head shall file written documentation with the Chief Fiscal Officer of the
5 State requesting approval of the expenditures. Such documentation shall
6 provide sufficient financial data to justify the expenditures and shall
7 include the following:

8 1) a plan that clearly indicates the specific fiscal impact of such
9 expenditures on the fund balance.

10 2) information clearly indicating and explaining what programs would be cut or
11 any other measures to be taken by the agency to restore the fund balance.

12 3) the extent to which any of the planned expenditures are for one-time costs
13 or one-time purchase of capitalized items.

14 4) a statement certifying that the expenditure of fund balances will not
15 jeopardize the financial health of the agency, nor result in a permanent
16 depletion of the fund balance.

17 (B) The Chief Fiscal Officer of the State shall review the request and
18 approve or disapprove all or any part of the request , after having sought
19 prior review by the Legislative Council.

20
21 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
22 this act shall be limited to the appropriation for such agency and funds made
23 available by law for the support of such appropriations; and the restrictions
24 of the State Purchasing Law, the General Accounting and Budgetary Procedures
25 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
26 Restrictions Act, or their successors, and other fiscal control laws of this
27 State, where applicable, and regulations promulgated by the Department of
28 Finance and Administration, as authorized by law, shall be strictly complied
29 with in disbursement of said funds.

30
31 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
32 that any funds disbursed under the authority of the appropriations contained
33 in this act shall be in compliance with the stated reasons for which this act
34 was adopted, as evidenced by the Agency Requests, Executive Recommendations
35 and Legislative Recommendations contained in the budget manuals prepared by
36 the Department of Finance and Administration, letters, or summarized oral

1 testimony in the official minutes of the Arkansas Legislative Council or Joint
2 Budget Committee which relate to its passage and adoption.

3
4 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
5 Assembly, that the Constitution of the State of Arkansas prohibits the
6 appropriation of funds for more than a two (2) year period; that the
7 effectiveness of this Act on July 1, 2001 is essential to the operation of the
8 agency for which the appropriations in this Act are provided, and that in the
9 event of an extension of the Regular Session, the delay in the effective date
10 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
11 administration and provision of essential governmental programs. Therefore, an
12 emergency is hereby declared to exist and this Act being necessary for the
13 immediate preservation of the public peace, health and safety shall be in full
14 force and effect from and after July 1, 2001.