

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

SENATE BILL 51

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE ARKANSAS TOBACCO  
CONTROL FOR THE FISCAL YEAR ENDING JUNE 30, 2020; AND  
FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS TOBACCO CONTROL  
APPROPRIATION FOR THE 2019-2020 FISCAL  
YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the  
Arkansas Tobacco Control for the 2019-2020 fiscal year, the following maximum  
number of regular employees.

			Maximum Annual
			Salary Rate
Item	Class	Maximum	Fiscal Year
No.	Code Title	No. of	2019-2020
		Employees	
(1)	N113N ATC DIRECTOR	1	GRADE GS15
(2)	G270C ATC DEPUTY DIRECTOR	1	GRADE GS11
(3)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
(4)	G246C ATC BRANCH MANAGER	1	GRADE GS10
(5)	T108C ATC CHIEF CRIMINAL INVESTIGATIONS SUPV.	1	GRADE GS09
(6)	A060C SENIOR AUDITOR	2	GRADE GS08
(7)	C037C ADMINISTRATIVE ANALYST	2	GRADE GS06



1	(8) X074C ATC AUDITOR/INVESTIGATOR	2	GRADE GS06
2	(9) X196C ATC SENIOR ENFORCEMENT AGENT	4	GRADE GS06
3	(10) R027C BUDGET SPECIALIST	1	GRADE GS06
4	(11) E046C TRAINING INSTRUCTOR	1	GRADE GS06
5	(12) X131C ATC ENFORCEMENT AGENT	11	GRADE GS05
6	(13) C056C ADMINISTRATIVE SPECIALIST III	<u>3</u>	GRADE GS04
7	MAX. NO. OF EMPLOYEES	31	

8

9 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 10 to the Arkansas Tobacco Control, to be payable from the Miscellaneous  
 11 Agencies Fund Account, for personal services and operating expenses of the  
 12 Arkansas Tobacco Control - Operations for the fiscal year ending June 30,  
 13 2020, the following:

14

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2019-2020</u>
17	(01) REGULAR SALARIES	\$418,121
18	(02) PERSONAL SERVICES MATCHING	135,850
19	(03) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	119,918
21	(B) CONF. & TRAVEL	0
22	(C) PROF. FEES	5,000
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u><u>\$678,889</u></u>

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27 SECTION 3. APPROPRIATION - SALES TO MINORS ENFORCEMENT - CASH. There  
 28 is hereby appropriated, to the Arkansas Tobacco Control, to be payable from  
 29 the cash fund deposited in the State Treasury as determined by the Chief  
 30 Fiscal Officer of the State, for personal services, operating expenses, and  
 31 the purchase of promotional items of the Arkansas Tobacco Control - Sales to  
 32 Minors Enforcement - Cash for the fiscal year ending June 30, 2020, the  
 33 following:

34

35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2019-2020</u>

1	(01) REGULAR SALARIES	\$517,212
2	(02) PERSONAL SERVICES MATCHING	179,748
3	(03) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	232,072
5	(B) CONF. & TRAVEL	0
6	(C) PROF. FEES	1,700
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	0
9	(04) PROMOTIONAL ITEMS	<u>5,000</u>
10	TOTAL AMOUNT APPROPRIATED	<u><u>\$935,732</u></u>

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12       SECTION 4. APPROPRIATION - TOBACCO INSPECTION PROGRAM - FEDERAL. There  
 13 is hereby appropriated, to the Arkansas Tobacco Control, to be payable from  
 14 the federal funds as designated by the Chief Fiscal Officer of the State, for  
 15 personal services and operating expenses of the Arkansas Tobacco Control -  
 16 Tobacco Inspection Program - Federal for the fiscal year ending June 30,  
 17 2020, the following:

18

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2019-2020</u>
21	(01) REGULAR SALARIES	\$359,234
22	(02) PERSONAL SERVICES MATCHING	127,089
23	(03) OVERTIME	17,041
24	(04) MAINT. & GEN. OPERATION	
25	(A) OPER. EXPENSE	150,000
26	(B) CONF. & TRAVEL	5,000
27	(C) PROF. FEES	31,242
28	(D) CAP. OUTLAY	0
29	(E) DATA PROC.	<u>0</u>
30	TOTAL AMOUNT APPROPRIATED	<u><u>\$689,606</u></u>

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

Prevention for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) FIRE SAFETY & PREVENTION	<u>\$50,000</u>

SECTION 6. APPROPRIATION - ATC - REVENUE ENFORCEMENT. There is hereby appropriated, to the Arkansas Tobacco Control, 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, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) REGULAR SALARIES	\$159,793
(02) PERSONAL SERVICES MATCHING	51,968
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	93,817
(B) CONF. & TRAVEL	5,000
(C) PROF. FEES	500
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$311,078</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 Minors Enforcement – Cash appropriation 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, and with the approval of the Chief Fiscal Officer of the State, to meet Arkansas Tobacco Control Merchant Education needs.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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

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

19  
20       SECTION 10. EMERGENCY CLAUSE. It is found and determined by the  
21 General Assembly, that the Constitution of the State of Arkansas prohibits  
22 the appropriation of funds for more than a one (1) year period; that the  
23 effectiveness of this Act on July 1, 2019 is essential to the operation of  
24 the agency for which the appropriations in this Act are provided, and that in  
25 the event of an extension of the legislative session, the delay in the  
26 effective date of this Act beyond July 1, 2019 could work irreparable harm  
27 upon the proper administration and provision of essential governmental  
28 programs. Therefore, an emergency is hereby declared to exist and this Act  
29 being necessary for the immediate preservation of the public peace, health  
30 and safety shall be in full force and effect from and after July 1, 2019.