

1 State of Arkansas  
2 90th General Assembly  
3 Fiscal Session, 2016

# A Bill

SENATE BILL 44

4  
5 By: Joint Budget Committee  
6

## 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, 2017;  
11 AND FOR OTHER PURPOSES.  
12  
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## Subtitle

14 AN ACT FOR THE ARKANSAS TOBACCO CONTROL  
15 BOARD APPROPRIATION FOR THE 2016-2017  
16 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 Arkansas Tobacco  
23 Control Board for the 2016-2017 fiscal year, the following maximum number of regular employees.  
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Item	Class	No. of Employees	Maximum Annual Salary Rate	
			No. of Employees	Fiscal Year
<u>No. Code Title</u>		<u>Employees</u>	<u>2016-2017</u>	
29	(1) N113N ATC DIRECTOR	1	GRADE N905	
30	(2) G025C ATTORNEY SUPERVISOR	1	GRADE C127	
31	(3) G047C ATTORNEY SPECIALIST	1	GRADE C126	
32	(4) G246C ATC BRANCH MANAGER	2	GRADE C123	
33	(5) X074C ATC AUDITOR/INVESTIGATOR	2	GRADE C119	
34	(6) X196C ATC FDA SENIOR ENFORCEMENT AGENT	3	GRADE C118	
35	(7) R027C BUDGET SPECIALIST	1	GRADE C117	
36	(8) X131C ATC ENFORCEMENT AGENT	14	GRADE C116	

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

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

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

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

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29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2016-2017</u>
31	(01) REGULAR SALARIES	\$502,824
32	(02) PERSONAL SERVICES MATCHING	174,822
33	(03) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	212,272
35	(B) CONF. & TRAVEL	0
36	(C) PROF. FEES	1,700

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	0
3	(04) PROMOTIONAL ITEMS	<u>5,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$896,618</u>

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

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

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

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

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35 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

1 PROMOTIONAL ITEMS. Arkansas Tobacco Control is hereby authorized to purchase from Maintenance  
2 & General Operations Classifications in the Operations Appropriation and Sales to Minor Enforcement -  
3 Cash provided by this Act, up to an amount not to exceed \$5,000 each fiscal year for promotional items,  
4 authorized by the Director of the Agency to meet Arkansas Tobacco Control Merchant Education needs.

5 The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~  
6 2017.

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

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16 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds  
17 disbursed under the authority of the appropriations contained in this act shall be in compliance with the  
18 stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive  
19 Recommendations and Legislative Recommendations contained in the budget manuals prepared by the  
20 Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of  
21 the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

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23 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that  
24 the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year  
25 period; that the effectiveness of this Act on July 1, 2016 is essential to the operation of the agency for  
26 which the appropriations in this Act are provided, and that in the event of an extension of the legislative  
27 session, the delay in the effective date of this Act beyond July 1, 2016 could work irreparable harm upon  
28 the proper administration and provision of essential governmental programs. Therefore, an emergency is  
29 hereby declared to exist and this Act being necessary for the immediate preservation of the public peace,  
30 health and safety shall be in full force and effect from and after July 1, 2016.

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