

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

As Engrossed: S4/20/16
A Bill

SENATE BILL 44

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.
12
13

14 **Subtitle**

15 AN ACT FOR THE ARKANSAS TOBACCO CONTROL
16 BOARD APPROPRIATION FOR THE 2016-2017
17 FISCAL YEAR.
18
19

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

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.
25

| Item No. | Class Code | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 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 | |

6
 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:

| 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> |

24
 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:

| 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> |

9

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:

16

| 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> |

29

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:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

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

SECTION 6. APPROPRIATION - MERCHANT EDUCATION AND TRAINING. 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 merchant education and training of the Arkansas Tobacco Control Board 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.

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.

10
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, 2016 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, 2016 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, 2016.

31
32 */s/ Joint Budget Committee*
33
34
35
36