

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.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
(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



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

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

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

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

ITEM NO.		FISCAL YEAR 2019-2020
----------	--	--------------------------

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

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

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

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

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

ITEM NO.	FISCAL YEAR 2019-2020
(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 NO.	FISCAL YEAR 2019-2020
(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.

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

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

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