

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

ACT 769 OF 1993
SENATE BILL 127

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE STATE BOARD OF PHARMACY FOR THE
10 BIENNIAL PERIOD ENDING JUNE 30, 1995; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "AN ACT FOR THE STATE BOARD OF PHARMACY APPROPRIATION."

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

18 SECTION 1. REGULAR SALARIES. There is hereby established for the State
19 Board of Pharmacy for the 1993-95 biennium, the following maximum number of
20 regular employees whose salaries shall be governed by the provisions of the
21 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
22 seq.), or its successor, and all laws amendatory thereto. Provided, however,
23 that any position to which a specific maximum annual salary is set out herein
24 in dollars, shall be exempt from the provisions of said Uniform Classification
25 and Compensation Act. All persons occupying positions authorized herein are
26 hereby governed by the provisions of the Regular Salaries Procedures and
27 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class	No. of Employees	Maximum Annual Salary Rate	
			1993-94	1994-95
(1)	7174 BD OF PHARMACY EXECUTIVE DIRECTOR	1	\$ 61,466	\$ 63,617
(2)	7170 BD OF PHARMACY PHARMACIST INSPECTOR	1	\$ 46,293	\$ 47,913
(3)	7171 BD OF PHARMACY INSPECTOR	2	\$ 41,034	\$ 42,470

1	(4) 7172 BD OF PHARMACY ASST DIR/FISCAL OFFR	1	\$ 36,454	\$ 37,730
2	(5) 7173 BD OF PHARMACY SECRETARY	1	\$ 21,075	\$ 21,812
3	(6) 7337 BRD OF PHARMACY SECRETARY	<u>1</u>	\$ 15,730	\$ 16,280
4	MAX NO. OF EMPLOYEES	7		

5

6 SECTION 2. EXTRA HELP. There is hereby authorized, for the State

7 Board of Pharmacy for the 1993-95 biennium, the following maximum number of

8 part-time or temporary employees, to be known as "Extra Help", payable from

9 funds appropriated herein for such purposes: Four (4) 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. APPROPRIATIONS. There is hereby appropriated, to the State

15 Board of Pharmacy, to be payable from cash funds as defined by Arkansas Code

16 19-4-801 of the State Board of Pharmacy, for personal services and operating

17 expenses of the State Board of Pharmacy for the biennial period ending June

18 30, 1995, the following:

20	<u>ITEM</u>	<u>FISCAL YEARS</u>	
21	NO.	1993-94	1994-95
22	(01) REGULAR SALARIES	\$ 263,086	\$ 272,292
23	(02) EXTRA HELP	8,000	8,000
24	(03) PERSONAL SERV MATCHING	64,719	66,984
25	(04) MAINT. & GEN. OPERATION		
26	(A) OPER. EXPENSE \$	103,672	\$ 103,672
27	(B) CONF. & TRVL.	17,220	17,220
28	(C) PROF. FEES	21,951	21,951
29	(D) CAP. OUTLAY	10,000	5,000
30	(E) DATA PROC.	<u>0</u>	<u>0</u>
31	TOTAL MAINT. & GEN. OPER.	152,843	147,843
32	(05) REFUNDS/REIMBURSEMENTS	<u>1,000</u>	<u>1,000</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$ 489,648</u>	<u>\$ 496,119</u>

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35 SECTION 4. Arkansas Code 17-91-301(b) is hereby amended to read as

1 follows:

2 "(b) No person other than a licensed pharmacist shall use the term
3 `Doctor of Pharmacy' or `Pharm.D.'"

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5 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
6 this Act for Maintenance and General Operation shall be expended in payment
7 for services of attorneys, unless the agency shall first make a request in
8 writing to the Attorney General of the State of Arkansas to provide the
9 required legal services. The Attorney General's Office shall provide the
10 requested legal services, or, if the Attorney General's Office shall determine
11 that sufficient personnel are not available to provide the requested legal
12 services, the Attorney General shall certify the same to the agency and may
13 authorize the agency to employ legal counsel and to expend monies appropriated
14 for Maintenance and General Operations therefor, if:

15 (1) The Attorney General determines, and certifies in writing, that
16 such agency needs the advice or assistance of legal counsel, and

17 (2) The Attorney General consents in writing to the employment of the
18 legal counsel to be retained by the agency.

19 Such certification shall be required with respect to each instance of
20 the employment of special legal counsel, or shall be required annually with
21 respect to legal counsel employed on a retainer basis. A copy of such
22 certification shall be entered in the official minutes of the agency, and
23 shall be retained in the fiscal records of the agency for audit purposes.

24

25 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
26 authorized by this Act shall be limited to the appropriation for such agency
27 and funds made available by law for the support of such appropriations; and
28 the restrictions of the State Purchasing Law, the General Accounting and
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
30 Procedures and Restrictions Act, or their successors, and other fiscal control
31 laws of this State, where applicable, and regulations promulgated by the
32 Department of Finance and Administration, as authorized by law, shall be
33 strictly complied with in disbursement of said funds.

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35 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations
2 contained in this Act shall be in compliance with the stated reasons for which
3 this Act was adopted, as evidenced by the Agency Requests, Executive
4 Recommendations and Legislative Recommendations contained in the budget
5 manuals prepared by the Department of Finance and Administration, letters, or
6 summarized oral testimony in the official minutes of the Arkansas Legislative
7 Council or Joint Budget Committee which relate to its passage and adoption.

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9 SECTION 8. CODE. All provisions of this Act of a general and permanent
10 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
11 Code Revision Commission shall incorporate the same in the Code.

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13 SECTION 9. SEVERABILITY. If any provision of this Act or the
14 application thereof to any person or circumstance is held invalid, such
15 invalidity shall not affect other provisions or applications of the Act which
16 can be given effect without the invalid provision or application, and to this
17 end the provisions of this Act are declared to be severable.

18

19 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict
20 with this Act are hereby repealed.

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22 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
23 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
24 prohibits the appropriation of funds for more than a two (2) year period; that
25 the effectiveness of this Act on July 1, 1993 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the Regular Session, the delay in the effective
28 date of this Act beyond July 1, 1993 could work irreparable harm upon the
29 proper administration and provision of essential governmental programs.
30 Therefore, an emergency is hereby declared to exist and this Act being
31 necessary for the immediate preservation of the public peace, health and
32 safety shall be in full force and effect from and after July 1, 1993.

33

/s/ Senator Russ

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APPROVED: 3/26/93

As Engrossed: 2/16/93 3/19/93

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