

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL 239

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, 1993; AND FOR OTHER
11 PURPOSES."

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

15 SECTION 1. REGULAR SALARIES. There is hereby established for the State
16 Board of Pharmacy for the 1991-93 biennium, the following maximum number of
17 regular employees whose salaries shall be governed by the provisions of the
18 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
19 seq.), or its successor, and all laws amendatory thereto. Provided, however,
20 that any position to which a specific maximum annual salary is set out herein
21 in dollars, shall be exempt from the provisions of said Uniform Classification
22 and Compensation Act. All persons occupying positions authorized herein are
23 hereby governed by the provisions of the Regular Salaries Procedures and
24 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class	No. of	Maximum Annual		
			Maximum	Salary Rate	
			Fiscal Years		
No.	Code	Title	Employees	1991-92	1992-93
30	(1) 7174	BD OF PHARMACY EXECUTIVE DIRECTOR	1	\$ 52,686	\$ 55,320
31	(2) 7170	BD OF PHARMACY PHARMACIST INSPECTOR	1	\$ 37,035	\$ 38,886
32	(3) 7171	BD OF PHARMACY INSPECTOR	2	\$ 34,000	\$ 35,700
33	(4) 7172	BD OF PHARMACY ASST DIR/FISCAL OFFR	1	\$ 27,664	\$ 29,047
34	(5) 7173	BD OF PHARMACY SECRETARY	1	\$ 19,199	\$ 20,158
35	(6) 7337	BRD OF PHARMACY SECRETARY	<u>1</u>	\$ 14,331	\$ 15,047

1 MAX NO. OF EMPLOYEES 7

2
3

4 SECTION 2. EXTRA HELP. There is hereby authorized, for the State
5 Board of Pharmacy for the 1991-93 biennium, the following maximum number of
6 part-time or temporary employees, to be known as "Extra Help", payable from
7 funds appropriated herein for such purposes: four (4) temporary or part-time
8 employees, when needed, at rates of pay not to exceed those provided in the
9 Uniform Classification and Compensation Act, or its successor, or this act for
10 the appropriate classification.

11

12 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State
13 Board of Pharmacy, to be payable from cash funds as defined by Arkansas Code
14 19-4-801 of the State Board of Pharmacy, for personal services and operating
15 expenses of the State Board of Pharmacy for the biennial period ending June
16 30, 1993, the following:

17

ITEM		FISCAL YEARS	
NO.		1991-92	1992-93
(01)	REGULAR SALARIES	\$ 218,915	\$ 229,858
(02)	EXTRA HELP	8,000	8,000
(03)	PERSONAL SERV MATCHING	50,124	52,816
(04)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSES	\$ 102,772	103,672
(B)	CONF. & TRAVEL	17,220	17,220
(C)	PROF. FEES	21,951	21,951
(D)	CAPITAL OUTLAY	3,000	3,000
(E)	DATA PROCESSING	0	0
	TOTAL MAINT. & GEN. OPER.	144,943	145,843
(05)	REFUNDS AND REIMBURSEMENT	1,000	1,000
	TOTAL AMOUNT APPROPRIATED	\$ 422,982	\$ 437,517

33

34 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
35 this Act for Maintenance and General Operation shall be expended in payment
36 for services of attorneys, unless the agency shall first make a request in

1 writing to the Attorney General of the State of Arkansas to provide the
 2 required legal services. The Attorney General's Office shall provide the
 3 requested legal services, or, if the Attorney General's Office shall determine
 4 that sufficient personnel are not available to provide the requested legal
 5 services, the Attorney General shall certify the same to the agency and may
 6 authorize the agency to employ legal counsel and to expend monies appropriated
 7 for Maintenance and General Operations therefor, if:

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

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

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

17

18 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 19 authorized by this Act shall be limited to the appropriation for such agency
 20 and funds made available by law for the support of such appropriations; and
 21 the restrictions of the State Purchasing Law, the General Accounting and
 22 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 23 Procedures and Restrictions Act, or their successors, and other fiscal control
 24 laws of this State, where applicable, and regulations promulgated by the
 25 Department of Finance and Administration, as authorized by law, shall be
 26 strictly complied with in disbursement of said funds.

27

28 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
 29 Assembly that any funds disbursed under the authority of the appropriations
 30 contained in this Act shall be in compliance with the stated reasons for which
 31 this Act was adopted, as evidenced by the Agency Requests, Executive
 32 Recommendations and Legislative Recommendations contained in the budget
 33 manuals prepared by the Department of Finance and Administration, letters, or
 34 summarized oral testimony in the official minutes of the Arkansas Legislative
 35 Council or Joint Budget Committee which relate to its passage and adoption.

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

SECTION 7. CODE. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 8. SEVERABILITY. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 10. HEALTH PREMIUMS. The State Board of Pharmacy shall not, during the 1992-93 fiscal year, spend more for health insurance per employee than the amount being contributed to the State Employees Health Insurance Program.

SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1991 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 Regular Session, the delay in the effective date of this Act beyond July 1, 1991 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, 1991.

/s/Joint Budget Committee

- 1
- 2
- 3