

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

A Bill

SENATE BILL

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 OPTOMETRY FOR
10 THE 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 Optometry 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	
		No. of	Fiscal Years		
No.	Code	Title	Employees	1991-92	1992-93
30	(1) 7216	BD OF OPTOMETRY STENO/BOOKKEEPER	1	\$ 9,704	\$ 10,189
31	(2) 7217	BD OF OPTOMETRY SECRETARY/TREASURER	<u>1</u>	\$ 5,363	\$ 5,631
32		MAX NO. OF EMPLOYEES	2		

34 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State
35 Board of Optometry, to be payable from cash funds as defined by Arkansas Code

1 19-4-801 of the State Board of Optometry, for personal services and operating
 2 expenses of the State Board of Optometry for the biennial period ending June
 3 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) REGULAR SALARIES	\$ 14,026	\$ 14,026
(02) PERSONAL SERV MATCHING	5,555	5,795
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES \$ 25,211	\$ 25,211	
(B) CONF. & TRAVEL 0	0	
(C) PROF. FEES 1,012	1,012	
(D) CAPITAL OUTLAY 0	0	
(E) DATA PROCESSING 400	400	
TOTAL MAINT. & GEN. OPER.	<u>26,623</u>	<u>26,623</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 46,204</u>	<u>\$ 46,444</u>

18 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 19 this Act for Maintenance and General Operation shall be expended in payment
 20 for services of attorneys, unless the agency shall first make a request in
 21 writing to the Attorney General of the State of Arkansas to provide the
 22 required legal services. The Attorney General's Office shall provide the
 23 requested legal services, or, if the Attorney General's Office shall determine
 24 that sufficient personnel are not available to provide the requested legal
 25 services, the Attorney General shall certify the same to the agency and may
 26 authorize the agency to employ legal counsel and to expend monies appropriated
 27 for Maintenance and General Operations therefor, if:

- 28 (1) The Attorney General determines, and certifies in writing, that
 29 such agency needs the advice or assistance of legal counsel, and
- 30 (2) The Attorney General consents in writing to the employment of the
 31 legal counsel to be retained by the agency.

32 Such certification shall be required with respect to each instance of
 33 the employment of special legal counsel, or shall be required annually with
 34 respect to legal counsel employed on a retainer basis. A copy of such
 35 certification shall be entered in the official minutes of the agency, and

1 shall be retained in the fiscal records of the agency for audit purposes.

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3 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
4 authorized by this Act shall be limited to the appropriation for such agency
5 and funds made available by law for the support of such appropriations; and
6 the restrictions of the State Purchasing Law, the General Accounting and
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
8 Procedures and Restrictions Act, or their successors, and other fiscal control
9 laws of this State, where applicable, and regulations promulgated by the
10 Department of Finance and Administration, as authorized by law, shall be
11 strictly complied with in disbursement of said funds.

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13 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
14 Assembly that any funds disbursed under the authority of the appropriations
15 contained in this Act shall be in compliance with the stated reasons for which
16 this Act was adopted, as evidenced by the Agency Requests, Executive
17 Recommendations and Legislative Recommendations contained in the budget
18 manuals prepared by the Department of Finance and Administration, letters, or
19 summarized oral testimony in the official minutes of the Arkansas Legislative
20 Council or Joint Budget Committee which relate to its passage and adoption.

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22 SECTION 6. CODE. All provisions of this Act of a general and permanent
23 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
24 Code Revision Commission shall incorporate the same in the Code.

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26 SECTION 7. SEVERABILITY. If any provision of this Act or the
27 application thereof to any person or circumstance is held invalid, such
28 invalidity shall not affect other provisions or applications of the Act which
29 can be given effect without the invalid provision or application, and to this
30 end the provisions of this Act are declared to be severable.

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32 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
33 with this Act are hereby repealed.

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35 SECTION 9. HEALTH PREMIUMS. The State Board of Optometry shall not,

1 during the 1992-93 fiscal year, spend more for health insurance per employee
2 than the amount being contributed to the State Employees Health Insurance
3 Program.

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5 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
6 Seventy-Eighth General Assembly, that the Constitution of the State of
7 Arkansas prohibits the appropriation of funds for more than a two (2) year
8 period; that the effectiveness of this Act on July 1, 1991 is essential to the
9 operation of the agency for which the appropriations in this Act are provided,
10 and that in the event of an extension of the Regular Session, the delay in the
11 effective date of this Act beyond July 1, 1991 could work irreparable harm
12 upon the proper administration and provision of essential governmental
13 programs. Therefore, an emergency is hereby declared to exist and this Act
14 being necessary for the immediate preservation of the public peace, health and
15 safety shall be in full force and effect from and after July 1, 1991.

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