

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

A Bill

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.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1993-94	1994-95
33	(1) 7174	BD OF PHARMACY EXECUTIVE DIRECTOR	1	\$ 61,466	\$ 63,617
34	(2) 7170	BD OF PHARMACY PHARMACIST INSPECTOR	1	\$ 46,293	\$

35 47,913

1	(3) 7171 BD OF PHARMACY INSPECTOR	2	\$ 41,034	\$ 42,470
2	(4) 7172 BD OF PHARMACY ASST DIR/FISCAL OFFR	1	\$ 36,454	\$ 37,730
3	(5) 7173 BD OF PHARMACY SECRETARY	1	\$ 21,075	\$ 21,812
4	(6) 7337 BRD OF PHARMACY SECRETARY	<u>1</u>	\$ 15,730	\$ 16,280
5	MAX NO. OF EMPLOYEES	7		

6

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

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

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

10 funds appropriated herein for such purposes: Four (4) temporary or part-time

11 employees, when needed, at rates of pay not to exceed those provided in the

12 Uniform Classification and Compensation Act, or its successor, or this act for

13 the appropriate classification.

14

15 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State

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

17 19-4-801 of the State Board of Pharmacy, for personal services and operating

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

19 30, 1995, the following:

20

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

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1 SECTION 4. Arkansas Code 17-91-301(b) is hereby amended to read as
2 follows:

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

5

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

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

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

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

25

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

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

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

13

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

19

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

22

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

34

/s/ Senator Russ

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

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