

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
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, 1995; AND FOR OTHER
11 PURPOSES."

Subtitle

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

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

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18 SECTION 1. REGULAR SALARIES. There is hereby established for the State
19 Board of Optometry 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.

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			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
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No.	Code	Title	Employees	1993-94	1994-95
(1)	7216	BD OF OPTOMETRY STENO/BOOKKEEPER	1	\$ 10,651	\$ 11,023
(2)	7217	BD OF OPTOMETRY SECRETARY/TREASURER	<u>1</u>	\$ 5,886	\$ 6,092
MAX NO. OF EMPLOYEES			2		

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SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State Board of Optometry, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the State Board of Optometry, for personal services and operating expenses of the State Board of Optometry for the biennial period ending June 30, 1995, the following:

9 ITEM		FISCAL YEARS	
10 NO.		1993-94	1994-95
11 (01)	REGULAR SALARIES	\$ 16,537	\$ 17,115
12 (02)	PERSONAL SERV MATCHING	7,489	7,590
13 (03)	MAINT. & GEN. OPERATION		
14	(A) OPER. EXPENSE	\$ 25,211	\$ 25,211
15	(B) CONF. & TRVL.	0	0
16	(C) PROF. FEES	1,012	1,012
17	(D) CAP. OUTLAY	0	0
18	(E) DATA PROC.	<u>400</u>	<u>400</u>
19	TOTAL MAINT. & GEN. OPER.	<u>26,623</u>	<u>26,623</u>
20	TOTAL AMOUNT APPROPRIATED	<u>\$ 50,649</u>	<u>\$ 51,328</u>

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

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

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

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

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

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

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

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

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

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4 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
5 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
6 prohibits the appropriation of funds for more than a two (2) year period; that
7 the effectiveness of this Act on July 1, 1993 is essential to the operation of
8 the agency for which the appropriations in this Act are provided, and that in
9 the event of an extension of the Regular Session, the delay in the effective
10 date of this Act beyond July 1, 1993 could work irreparable harm upon the
11 proper administration and provision of essential governmental programs.
12 Therefore, an emergency is hereby declared to exist and this Act being
13 necessary for the immediate preservation of the public peace, health and
14 safety shall be in full force and effect from and after July 1, 1993.

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