

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1079

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

8  
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE STATE  
11 BOARD OF PHARMACY FOR THE FISCAL YEAR ENDING JUNE  
12 30, 2010; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT FOR THE STATE BOARD OF PHARMACY  
16 APPROPRIATION FOR THE 2009-2010 FISCAL  
17 YEAR.  
18

19  
20  
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
24 Board of Pharmacy for the 2009-2010 fiscal year, the following maximum number  
25 of regular employees whose salaries shall be governed by the provisions of  
26 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
28 that any position to which a specific maximum annual salary is set out herein  
29 in dollars, shall be exempt from the provisions of said Uniform  
30 Classification and Compensation Act. All persons occupying positions  
31 authorized herein are hereby governed by the provisions of the Regular  
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
33 successor.  
34

35  
36  
Maximum Annual  
Maximum Salary Rate



Item	Class	No. of	Fiscal Year
No.	Code Title	Employees	2009-2010
(1)	N001N DIRECTOR OF PHARMACY BOARD	1	GRADE N914
(2)	L015N ASST PHARMACY DIRECTOR	1	GRADE N912
(3)	L016N REGISTERED PHARMACIST	3	GRADE N911
(4)	A023C PHARMACY BOARD CHIEF FISCAL OFFICER	1	GRADE C125
(5)	C037C ADMINISTRATIVE ANALYST	1	GRADE C115
(6)	D087C DATABASE COORD/BUSINESS LICENSE ANA	1	GRADE C113
(7)	C056C ADMINISTRATIVE SPECIALIST III	<u>2</u>	GRADE C112
MAX. NO. OF EMPLOYEES		10	

11

12 SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of  
 13 Pharmacy for the 2009-2010 fiscal year, the following maximum number of part-  
 14 time or temporary employees, to be known as "Extra Help", payable from funds  
 15 appropriated herein for such purposes: four (4) temporary or part-time  
 16 employees, when needed, at rates of pay not to exceed those provided in the  
 17 Uniform Classification and Compensation Act, or its successor, or this act  
 18 for the appropriate classification.

19

20 SECTION 3. APPROPRIATION - CASH OPERATIONS. There is hereby appropriated,  
 21 to the State Board of Pharmacy, to be payable from the cash fund deposited in  
 22 the State Treasury as determined by the Chief Fiscal Officer of the State,  
 23 for personal services and operating expenses of the State Board of Pharmacy  
 24 for the fiscal year ending June 30, 2010, the following:

25

ITEM	FISCAL YEAR
NO.	2009-2010
(01) REGULAR SALARIES	\$ 804,395
(02) EXTRA HELP	16,000
(03) PERSONAL SERVICES MATCHING	198,526
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	250,414
(B) CONF. & TRAVEL	17,220
(C) PROF. FEES	25,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0

36

1	(05) REFUNDS/REIMBURSEMENTS	<u>3,000</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,314,555</u>

3

4 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
5 this Act for Maintenance and General Operation shall be expended in payment  
6 for services of attorneys, unless the agency shall first make a request in  
7 writing to the Attorney General of the State of Arkansas to provide the  
8 required legal services. The Attorney General's Office shall provide the  
9 requested legal services, or, if the Attorney General's Office shall  
10 determine that sufficient personnel are not available to provide the  
11 requested legal services, the Attorney General shall certify the same to the  
12 agency and may authorize the agency to employ legal counsel and to expend  
13 monies appropriated for Maintenance and General Operations therefor, if:

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

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

23

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

33

34 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
35 that any funds disbursed under the authority of the appropriations contained  
36 in this act shall be in compliance with the stated reasons for which this act

1 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
2 and Legislative Recommendations contained in the budget manuals prepared by  
3 the Department of Finance and Administration, letters, or summarized oral  
4 testimony in the official minutes of the Arkansas Legislative Council or  
5 Joint Budget Committee which relate to its passage and adoption.

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7 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
8 Assembly, that the Constitution of the State of Arkansas prohibits the  
9 appropriation of funds for more than a one (1) year period; that the  
10 effectiveness of this Act on July 1, 2009 is essential to the operation of  
11 the agency for which the appropriations in this Act are provided, and that in  
12 the event of an extension of the Regular Session, the delay in the effective  
13 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
14 proper administration and provision of essential governmental programs.  
15 Therefore, an emergency is hereby declared to exist and this Act being  
16 necessary for the immediate preservation of the public peace, health and  
17 safety shall be in full force and effect from and after July 1, 2009.