

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: H3/24/11  
**A Bill**

HOUSE BILL 1094

5 By: Joint Budget Committee  
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
9 SERVICES AND OPERATING EXPENSES FOR THE STATE  
10 BOARD OF PHARMACY FOR THE FISCAL YEAR ENDING JUNE  
11 30, 2012; AND FOR OTHER PURPOSES.  
12

13 **Subtitle**

14 AN ACT FOR THE STATE BOARD OF PHARMACY  
15 APPROPRIATION FOR THE 2011-2012 FISCAL  
16 YEAR.  
17

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

22 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
23 Board of Pharmacy for the 2011-2012 fiscal year, the following maximum number  
24 of regular employees.  
25

26				Maximum Annual	
27			Maximum	Salary Rate	
28	Item	Class	No. of	Fiscal Year	
29	No.	Code	Title	Employees	2011-2012
30	(1)	N001N	DIRECTOR OF PHARMACY BOARD	1	GRADE N918
31	(2)	L015N	ASST PHARMACY DIRECTOR	1	GRADE N914
32	(3)	L016N	REGISTERED PHARMACIST	3	GRADE N911
33	(4)	A023C	PHARMACY BOARD CHIEF FISCAL OFFICER	1	GRADE C125
34	(5)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
35	(6)	D087C	DATABASE COORD/BUSINESS LICENSE ANA	1	GRADE C113
36	(7)	C056C	ADMINISTRATIVE SPECIALIST III	<u>2</u>	GRADE C112



1 MAX. NO. OF EMPLOYEES 10

2

3 SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board  
 4 of Pharmacy for the 2011-2012 fiscal year, the following maximum number of  
 5 part-time or temporary employees, to be known as "Extra Help", payable from  
 6 funds appropriated herein for such purposes: four (4) temporary or part-time  
 7 employees, when needed, at rates of pay not to exceed those provided in the  
 8 Uniform Classification and Compensation Act, or its successor, or this act  
 9 for the appropriate classification.

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11 SECTION 3. APPROPRIATION - CASH OPERATIONS. There is hereby  
 12 appropriated, to the State Board of Pharmacy, to be payable from the cash  
 13 fund deposited in the State Treasury as determined by the Chief Fiscal  
 14 Officer of the State, for personal services and operating expenses of the  
 15 State Board of Pharmacy for the fiscal year ending June 30, 2012, the  
 16 following:

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18 ITEM	FISCAL YEAR
19 <u>NO.</u>	<u>2011-2012</u>
20 (01) REGULAR SALARIES	\$744,003
21 (02) EXTRA HELP	16,000
22 (03) PERSONAL SERVICES MATCHING	194,208
23 (04) MAINT. & GEN. OPERATION	
24 (A) OPER. EXPENSE	320,664
25 (B) CONF. & TRAVEL	17,220
26 (C) PROF. FEES	25,000
27 (D) CAP. OUTLAY	0
28 (E) DATA PROC.	0
29 (05) REFUNDS/REIMBURSEMENTS	3,000
30 (06) IMPAIRED PHARMACIST PROGRAM	<u>50,000</u>
31 TOTAL AMOUNT APPROPRIATED	<u>\$1,370,095</u>

32

33 SECTION 4. APPROPRIATION - PHARMACY STUDENT LOANS. There is  
 34 hereby appropriated, to the State Board of Pharmacy, to be payable from the  
 35 cash funds in the State Treasury as determined by the Chief Fiscal Officer of  
 36 the State, for transfer by warrant to the cash fund as defined by Arkansas

1 Code 19-4-801 of the University of Arkansas for Medical Sciences - College of  
2 Pharmacy for the fiscal year ending June 30, 2012, the following:

3		
4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2011-2012</u>
6	(01) PHARMACY STUDENT LOANS	<u>\$50,000</u>
7		

8 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
10 BY WARRANT. If, during the ~~2010-2011~~ 2011-2012 fiscal year, the need arises  
11 for additional funding for student loans and additional funds become  
12 available, the Director of the State Board of Pharmacy may request the Chief  
13 Fiscal Officer of the State to cause a transfer by warrant up to fifty  
14 thousand dollars (\$50,000) from the balance of cash funds deposited in the  
15 State Treasury for the State Board of Pharmacy to the cash fund as defined by  
16 the Arkansas Code 19-4-801 of the University of Arkansas for Medical  
17 Sciences, there to be used for the sole purpose of providing student loans to  
18 pharmacy students.

19 The provisions of this section shall be in effect only from July 1,  
20 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

21  
22 SECTION 6. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
23 this Act for Maintenance and General Operation shall be expended in payment  
24 for services of attorneys, unless the agency shall first make a request in  
25 writing to the Attorney General of the State of Arkansas to provide the  
26 required legal services. The Attorney General's Office shall provide the  
27 requested legal services, or, if the Attorney General's Office shall  
28 determine that sufficient personnel are not available to provide the  
29 requested legal services, the Attorney General shall certify the same to the  
30 agency and may authorize the agency to employ legal counsel and to expend  
31 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.

36 Such certification shall be required with respect to each instance of

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

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

16 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General  
17 Assembly that any funds disbursed under the authority of the appropriations  
18 contained in this act shall be in compliance with the stated reasons for  
19 which this act was adopted, as evidenced by the Agency Requests, Executive  
20 Recommendations and Legislative Recommendations contained in the budget  
21 manuals prepared by the Department of Finance and Administration, letters, or  
22 summarized oral testimony in the official minutes of the Arkansas Legislative  
23 Council or Joint Budget Committee which relate to its passage and adoption.  
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25 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
26 Assembly, that the Constitution of the State of Arkansas prohibits the  
27 appropriation of funds for more than a one (1) year period; that the  
28 effectiveness of this Act on July 1, 2011 is essential to the operation of  
29 the agency for which the appropriations in this Act are provided, and that in  
30 the event of an extension of the legislative session, the delay in the  
31 effective date of this Act beyond July 1, 2011 could work irreparable harm  
32 upon the proper administration and provision of essential governmental  
33 programs. Therefore, an emergency is hereby declared to exist and this Act  
34 being necessary for the immediate preservation of the public peace, health  
35 and safety shall be in full force and effect from and after July 1, 2011.  
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*/s/Joint Budget Committee*

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