

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 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 415 of 2003
HOUSE BILL 1211

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE STATE
11 BOARD OF PHARMACY FOR THE BIENNIAL PERIOD ENDING
12 JUNE 30, 2005; AND FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT FOR THE STATE BOARD OF PHARMACY
15 APPROPRIATION FOR THE 2003-2005
16 BIENNIAL PERIOD.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the State
24 Board of Pharmacy for the 2003-2005 biennium, the following maximum number of
25 regular employees whose salaries shall be governed by the provisions of the
26 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.
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35 Maximum Annual
36 Maximum Salary Rate

Item	Class		No. of Employees	Fiscal Years	
	No.	Code Title		2003-2004	2004-2005
3	(1)	7174 PHARMACY BD EXECUTIVE DIRECTOR	1	\$103,845	\$106,149
4	(2)	7170 PHARMACY BD ASSISTANT DIRECTOR	1	\$79,224	\$81,130
5	(3)	7171 PHARMACY BD PHARMACY INSPECTOR	3	\$72,511	\$74,289
6	(4)	7172 PHARMACY BD CHIEF FISCAL OFFICER	1	\$62,110	\$63,690
7	(5)	7173 PHARMACY BD ADMIN ASST	1	\$32,376	\$33,250
8	(6)	7337 PHARMACY BD SECRETARY II	1	\$25,545	\$26,234
9	(7)	7777 PHARMACY BD SECRETARY I	<u>1</u>	\$22,940	\$23,559
10		MAX. NO. OF EMPLOYEES	9		

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12 SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of
 13 Pharmacy for the 2003-2005 biennium, 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.

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20 SECTION 3. APPROPRIATIONS - CASH OPERATIONS. There is hereby
 21 appropriated, to the State Board of Pharmacy, to be payable from cash funds
 22 deposited in the State Treasury as determined by the Chief Fiscal Officer of
 23 the State, for personal services and operating expenses of the State Board of
 24 Pharmacy for the biennial period ending June 30, 2005, the following:

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ITEM	FISCAL YEARS			
	NO.		2003-2004	2004-2005
28	(01)	REGULAR SALARIES	\$ 544,849	\$ 559,560
29	(02)	EXTRA HELP	8,000	8,000
30	(03)	PERSONAL SERV MATCH	147,343	150,533
31	(04)	MAINT. & GEN. OPERATION		
32	(A)	OPER. EXPENSE	170,914	170,914
33	(B)	CONF. & TRAVEL	17,220	17,220
34	(C)	PROF. FEES	10,500	10,500
35	(D)	CAP. OUTLAY	0	0
36	(E)	DATA PROC.	0	0

1	(05) REFUNDS/REIMBURSE	<u>2,000</u>	<u>2,000</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 900,826</u>	<u>\$ 918,727</u>

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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.

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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 Purchasing 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.

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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 two (2) year period; that the
10 effectiveness of this Act on July 1, 2003 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, 2003 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, 2003.

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20 APPROVED: 03/17/2003
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