

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.

Act 19 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

# A Bill

SENATE BILL 63

5 By: Joint Budget Committee  
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## 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 OPTOMETRY FOR THE BIENNIAL PERIOD ENDING  
12 JUNE 30, 2007; AND FOR OTHER PURPOSES.  
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## Subtitle

15 AN ACT FOR THE STATE BOARD OF OPTOMETRY  
16 APPROPRIATION FOR THE 2005-2007  
17 BIENNIUM.  
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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 Optometry for the 2005-2007 biennium, 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.  
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Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years 2005-2006	Salary Rate Fiscal Years 2006-2007
4	(1) 7217	BD OF OPTOMETRY EXECUTIVE DIRECTOR	1	\$33,437	\$34,440
5	(2) 7216	BD OF OPTOMETRY STENO/BOOKKEEPER	<u>1</u>	\$19,645	\$20,245
6		MAX. NO. OF EMPLOYEES	2		

SECTION 2. APPROPRIATIONS - CASH OPERATIONS. 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, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 53,082	\$ 54,685
(02) PERSONAL SERVICES MATCHING	17,660	17,960
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	26,254	26,254
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	39,012	39,012
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>400</u>	<u>400</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 136,408</u>	<u>\$ 138,311</u>

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:

- (1) The Attorney General determines, and certifies in writing, that such

1 agency needs the advice or assistance of legal counsel, and

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

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

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

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

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29 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
30 Assembly, that the Constitution of the State of Arkansas prohibits the  
31 appropriation of funds for more than a two (2) year period; that the  
32 effectiveness of this Act on July 1, 2005 is essential to the operation of  
33 the agency for which the appropriations in this Act are provided, and that in  
34 the event of an extension of the Regular Session, the delay in the effective  
35 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
36 proper administration and provision of essential governmental programs.

1 Therefore, an emergency is hereby declared to exist and this Act being  
2 necessary for the immediate preservation of the public peace, health and  
3 safety shall be in full force and effect from and after July 1, 2005.

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7 APPROVED: 1/25/2005  
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