

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 51 of the Regular Session

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

A Bill

HOUSE BILL 1093

4
5 By: Joint Budget Committee

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, 2007; AND FOR OTHER PURPOSES.

Subtitle

16 AN ACT FOR THE STATE BOARD OF PHARMACY
17 APPROPRIATION FOR THE 2005-2007
18 BIENNIUM.

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

23 SECTION 1. REGULAR SALARIES. There is hereby established for the State
24 Board of Pharmacy for the 2005-2007 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.

35 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) 7174	PHARMACY BD EXECUTIVE DIRECTOR	1	\$108,651	\$111,190
5	(2) 7170	PHARMACY BD ASSISTANT DIRECTOR	1	\$83,221	\$85,352
6	(3) 7171	PHARMACY BD PHARMACY INSPECTOR	3	\$76,250	\$78,248
7	(4) 7172	PHARMACY BD CHIEF FISCAL OFFICER	1	\$65,450	\$67,243
8	(5) 7173	PHARMACY BD ADMIN ASST	1	\$34,247	\$35,274
9	(6) 7337	PHARMACY BD SECRETARY II	1	\$27,021	\$27,831
10	(7) 7777	PHARMACY BD SECRETARY I	<u>1</u>	\$24,265	\$24,992
11	MAX. NO. OF EMPLOYEES		9		

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13 SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of
 14 Pharmacy for the 2005-2007 biennium, the following maximum number of part-
 15 time or temporary employees, to be known as "Extra Help", payable from funds
 16 appropriated herein for such purposes: four (4) temporary or part-time
 17 employees, when needed, at rates of pay not to exceed those provided in the
 18 Uniform Classification and Compensation Act, or its successor, or this act
 19 for the appropriate classification.

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21 SECTION 3. APPROPRIATION - CASH OPERATIONS. There is hereby appropriated,
 22 to the State Board of Pharmacy, to be payable from the cash fund deposited in
 23 the State Treasury as determined by the Chief Fiscal Officer of the State,
 24 for personal services and operating expenses of the State Board of Pharmacy
 25 for the biennial period ending June 30, 2007, the following:

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ITEM NO.		FISCAL YEARS	
		2005-2006	2006-2007
29	(01) REGULAR SALARIES	\$ 571,605	\$ 586,626
30	(02) EXTRA HELP	8,000	8,000
31	(03) PERSONAL SERVICES MATCHING	141,260	144,029
32	(04) MAINT. & GEN. OPERATION		
33	(A) OPER. EXPENSE	179,054	179,054
34	(B) CONF. & TRAVEL	17,220	17,220
35	(C) PROF. FEES	10,000	10,000
36	(D) CAP. OUTLAY	2,100	0

1	(E) DATA PROC.	4,460	4,460
2	(05) REFUND/REIMBURSEMENTS	<u>3,000</u>	<u>3,000</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 936,699</u>	<u>\$ 952,389</u>

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

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

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

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

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

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35 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
36 that any funds disbursed under the authority of the appropriations contained

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

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8 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
9 Assembly, that the Constitution of the State of Arkansas prohibits the
10 appropriation of funds for more than a two (2) year period; that the
11 effectiveness of this Act on July 1, 2005 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the Regular Session, the delay in the effective
14 date of this Act beyond July 1, 2005 could work irreparable harm upon the
15 proper administration and provision of essential governmental programs.
16 Therefore, an emergency is hereby declared to exist and this Act being
17 necessary for the immediate preservation of the public peace, health and
18 safety shall be in full force and effect from and after July 1, 2005.

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21 APPROVED: 2/1/2005
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