

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 772 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/25/09

A Bill

HOUSE BILL 1079

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 FISCAL YEAR ENDING JUNE
12 30, 2010; AND FOR OTHER PURPOSES.
13
14

Subtitle

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

Maximum Annual



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

12

13 SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of
 14 Pharmacy for the 2009-2010 fiscal year, 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 fiscal year ending June 30, 2010, the following:

26

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

1	(E) DATA PROC.	0
2	(05) REFUNDS/REIMBURSEMENTS	3,000
3	(06) IMPAIRED PHARMACIST PROGRAM	<u>50,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,364,555</u>

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6 SECTION 4. APPROPRIATION – PHARMACY STUDENT LOANS. There is hereby

7 appropriated, to the State Board of Pharmacy, to be payable from the cash

8 funds in the State Treasury as determined by the Chief Fiscal Officer of the

9 State, for transfer by warrant to the cash fund as defined by Arkansas Code

10 19-4-801 of the University of Arkansas for Medical Sciences – College of

11 Pharmacy, for the fiscal year ending June 30, 2010, the following:

12		
13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2009-2010</u>
15	(01) PHARMACY STUDENT LOANS	<u>\$ 550,000</u>

16

17 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE

18 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER BY

19 WARRANT. Immediately upon the effective date of this Act, the Chief Fiscal

20 Officer of the State shall cause a transfer by warrant the sum of five

21 hundred thousand dollars (\$500,000) from the balance of cash funds deposited

22 in the State Treasury for the State Board of Pharmacy, to the cash fund as

23 defined by Arkansas Code 19-4-801 of the University of Arkansas for Medical

24 Sciences, there to be used for the sole purpose of providing funding for the

25 CASH FUND – PHARMACY STUDENT LOANS appropriation that provides loans to

26 pharmacy students by the University of Arkansas for Medical Sciences –

27 College of Pharmacy. If, during the 2009-2010 fiscal year, the need arises

28 for additional funding for student loans and additional funds become

29 available, the Director of the State Board of Pharmacy may request the Chief

30 Fiscal Officer of the State to cause a transfer by warrant up to fifty

31 thousand dollars (\$50,000) from the balance of cash funds deposited in the

32 State Treasury for the State Board of Pharmacy to the cash fund as defined by

33 the Arkansas Code 19-4-801 of the University of Arkansas for Medical

34 Sciences, there to be used for the sole purpose of providing student loans to

35 pharmacy students.

36 The provisions of this section shall be in effect only from July 1, 2009

1 through June 30, 2010.

2
3 SECTION 6. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
4 this Act for Maintenance and General Operation shall be expended in payment
5 for services of attorneys, unless the agency shall first make a request in
6 writing to the Attorney General of the State of Arkansas to provide the
7 required legal services. The Attorney General's Office shall provide the
8 requested legal services, or, if the Attorney General's Office shall
9 determine that sufficient personnel are not available to provide the
10 requested legal services, the Attorney General shall certify the same to the
11 agency and may authorize the agency to employ legal counsel and to expend
12 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

22
23 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
24 by this act shall be limited to the appropriation for such agency and funds
25 made available by law for the support of such appropriations; and the
26 restrictions of the State Procurement Law, the General Accounting and
27 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
28 Procedures and Restrictions Act, or their successors, and other fiscal
29 control laws of this State, where applicable, and regulations promulgated by
30 the Department of Finance and Administration, as authorized by law, shall be
31 strictly complied with in disbursement of said funds.

32
33 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly
34 that any funds disbursed under the authority of the appropriations contained
35 in this act shall be in compliance with the stated reasons for which this act
36 was adopted, as evidenced by the Agency Requests, Executive Recommendations

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

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

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18 /s/ Joint Budget Committee

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20 **APPROVED: 4/3/2009**