

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

A Bill

SENATE BILL 53

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE STATE BOARD OF
10 OPTOMETRY FOR THE FISCAL YEAR ENDING JUNE 30, 2017;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE STATE BOARD OF OPTOMETRY
15 APPROPRIATION FOR THE 2016-2017 FISCAL
16 YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the State
23 Board of Optometry for the 2016-2017 fiscal year, the following maximum
24 number of regular employees.
25

| Item No. | Class Code | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2016-2017 |
|----------|------------|------------------------------------|--------------------------|--|
| 30 | (1) X145C | BD OF OPTOMETRY EXECUTIVE DIRECTOR | 1 | GRADE C115 |
| 31 | (2) A098C | FISCAL SUPPORT SPECIALIST | <u>1</u> | GRADE C112 |
| 32 | | MAX. NO. OF EMPLOYEES | 2 | |

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34 SECTION 2. APPROPRIATION - CASH OPERATIONS. There is hereby
35 appropriated, to the State Board of Optometry, to be payable from cash funds
36 as defined by Arkansas Code 19-4-801 of the State Board of Optometry, for



1 personal services and operating expenses of the State Board of Optometry for
 2 the fiscal year ending June 30, 2017, the following:

| 4 ITEM | FISCAL YEAR |
|-----------------------------------|-------------------------|
| 5 <u>NO.</u> | <u>2016-2017</u> |
| 6 (01) REGULAR SALARIES | \$73,810 |
| 7 (02) PERSONAL SERVICES MATCHING | 25,924 |
| 8 (03) MAINT. & GEN. OPERATION | |
| 9 (A) OPER. EXPENSE | 40,354 |
| 10 (B) CONF. & TRAVEL | 0 |
| 11 (C) PROF. FEES | 39,012 |
| 12 (D) CAP. OUTLAY | 0 |
| 13 (E) DATA PROC. | <u>0</u> |
| 14 TOTAL AMOUNT APPROPRIATED | <u><u>\$179,100</u></u> |

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 16 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
 18 STATE BOARD OF OPTOMETRY EMPLOYMENT OF ATTORNEYS. None of the funds
 19 appropriated in this Act for Maintenance and General Operation shall be
 20 expended in payment for services of attorneys, unless the agency shall first
 21 make a request in writing to the Attorney General of the State of Arkansas to
 22 provide the required legal services. The Attorney General's Office shall
 23 provide the requested legal services, or, if the Attorney General's Office
 24 shall determine that sufficient personnel are not available to provide the
 25 requested legal services, the Attorney General shall certify the same to the
 26 agency and may authorize the agency to employ legal counsel and to expend
 27 monies appropriated for Maintenance and General Operations therefore, if:

- 28 (1) The Attorney General determines, and certifies in writing, that
- 29 such agency needs the advice or assistance of legal counsel, and
- 30 (2) The Attorney General consents in writing to the employment of the
- 31 legal counsel to be retained by the agency, and
- 32 (3) The Attorney General receives confirmation in writing from the
- 33 agency that the agency will re-advertise annually for legal counsel if
- 34 outside legal counsel is hired and that any amount to be paid for outside
- 35 legal counsel will receive prior review by the Arkansas Legislative Council
- 36 or Joint Budget Committee.

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

6 The provisions of this section shall be in effect only from July 1,
7 ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

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

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

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28 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
29 Assembly, that the Constitution of the State of Arkansas prohibits the
30 appropriation of funds for more than a one (1) year period; that the
31 effectiveness of this Act on July 1, 2016 is essential to the operation of
32 the agency for which the appropriations in this Act are provided, and that in
33 the event of an extension of the legislative session, the delay in the
34 effective date of this Act beyond July 1, 2016 could work irreparable harm
35 upon the proper administration and provision of essential governmental
36 programs. Therefore, an emergency is hereby declared to exist and this Act

1 being necessary for the immediate preservation of the public peace, health
2 and safety shall be in full force and effect from and after July 1, 2016.

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5 **APPROVED: 04/29/2016**
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