Stricken language will be deleted and underlined language will be added.

Act 9 of the Regular Session

A Bill

State of Arkansas
92nd General Assembly
Regular Session, 2019

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE STATE BOARD OF
OPTOMETRY FOR THE FISCAL YEAR ENDING JUNE 30, 2020;
AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE STATE BOARD OF OPTOMETRY
APPROPRIATION FOR THE 2019-2020 FISCAL
YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the State
Board of Optometry for the 2019-2020 fiscal year, the following maximum
number of regular employees.

<table>
<thead>
<tr>
<th>Item</th>
<th>Class Code</th>
<th>Title</th>
<th>No. of Employees</th>
<th>Fiscal Year 2019-2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>X145C</td>
<td>BOARD OF OPTOMETRY EXECUTIVE DIR</td>
<td>1</td>
<td>GRADE GS06</td>
</tr>
<tr>
<td>(2)</td>
<td>A098C</td>
<td>FISCAL SUPPORT SPECIALIST</td>
<td>1</td>
<td>GRADE GS04</td>
</tr>
</tbody>
</table>

SECTION 2. APPROPRIATION - 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 fiscal year ending June 30, 2020, the following:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>(01) REGULAR SALARIES</td>
<td>$82,061</td>
</tr>
<tr>
<td>(02) PERSONAL SERVICES MATCHING</td>
<td>28,233</td>
</tr>
<tr>
<td>(03) MAINT. &amp; GEN. OPERATION</td>
<td></td>
</tr>
<tr>
<td>(A) OPER. EXPENSE</td>
<td>32,000</td>
</tr>
<tr>
<td>(B) CONF. &amp; TRAVEL</td>
<td>0</td>
</tr>
<tr>
<td>(C) PROF. FEES</td>
<td>35,000</td>
</tr>
<tr>
<td>(D) CAP. OUTLAY</td>
<td>0</td>
</tr>
<tr>
<td>(E) DATA PROC.</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL AMOUNT APPROPRIATED</td>
<td>$177,294</td>
</tr>
</tbody>
</table>

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS STATE BOARD OF OPTOMETRY 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 therefore, if:

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

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

(3) The Attorney General receives confirmation in writing from the agency that the agency will re-advertise annually for legal counsel if outside legal counsel is hired and that any amount to be paid for outside legal counsel will receive prior review by the Arkansas Legislative Council or Joint Budget Committee.
Such certification shall be required with respect to each instance of
the employment of special legal counsel, or shall be required annually with
respect to legal counsel employed on a retainer basis. A copy of such
certification shall be entered in the official minutes of the agency, and
shall be retained in the fiscal records of the agency for audit purposes.

The provisions of this section shall be in effect only from July 1, 2019
through June 30, 2020.

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

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

SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
Assembly, that the Constitution of the State of Arkansas prohibits the
appropriation of funds for more than a one (1) year period; that the
effectiveness of this Act on July 1, 2019 is essential to the operation of
the agency for which the appropriations in this Act are provided, and that in
the event of an extension of the legislative session, the delay in the
effective date of this Act beyond July 1, 2019 could work irreparable harm
upon the proper administration and provision of essential governmental
programs. Therefore, an emergency is hereby declared to exist and this Act
being necessary for the immediate preservation of the public peace, health
and safety shall be in full force and effect from and after July 1, 2019.

APPROVED: 1/28/19