

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

5

6

7

A Bill

SENATE BILL

27

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE STATE BOARD OF PHARMACY FOR THE
10 BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER
11 PURPOSES."

12

13

Subtitle

14 "AN ACT FOR THE STATE BOARD OF PHARMACY
15 APPROPRIATION FOR THE 1995-97 BIENNIUM."

16

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

18

19 SECTION 1. REGULAR SALARIES. There is hereby established for the
20 State Board of Pharmacy for the 1995-97 biennium, the following maximum
21 number of regular employees whose salaries shall be governed by the
22 provisions of the Uniform Classification and Compensation Act (Arkansas Code
23 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
24 Provided, however, that any position to which a specific maximum annual
25 salary is set out herein in dollars, shall be exempt from the provisions of
26 said Uniform Classification and Compensation Act. All persons occupying
27 positions authorized herein are hereby governed by the provisions of the
28 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
29 or its successor.

30

31

32

33

34

35

Maximum Annual

Maximum Salary Rate

No. of Fiscal Years

Employees 1995-96

Item Class
No. Code Title

1996-97

1	(1) 7174 BD OF PHARMACY EXECUTIVE DIRECTOR	1	\$ 66,511	\$
2	68,173			
3	(2) 7170 BD OF PHARMACY PHARMACIST INSPECTOR	1	\$ 50,092	\$
4	51,344			
5	(3) 7171 BD OF PHARMACY INSPECTOR	2	\$ 44,401	\$
6	45,511			
7	(4) 7172 BD OF PHARMACY ASST DIR/FISCAL OFFR	1	\$ 39,446	\$
8	40,432			
9	(5) 7173 BD OF PHARMACY SECRETARY	1	\$ 22,804	\$
10	23,374			
11	(6) 7337 BRD OF PHARMACY SECRETARY	<u>1</u>	\$ 17,020	\$
12	17,445			
13	MAX NO. OF EMPLOYEES	7		

15 SECTION 2. EXTRA HELP. There is hereby authorized, for the State
 16 Board of Pharmacy for the 1995-97 biennium, the following maximum number of
 17 part-time or temporary employees, to be known as "Extra Help", payable from
 18 funds appropriated herein for such purposes: four (4) temporary or part-time
 19 employees, when needed, at rates of pay not to exceed those provided in the
 20 Uniform Classification and Compensation Act, or its successor, or this act
 21 ~~for the appropriate classification.~~

23 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State
 24 Board of Pharmacy, to be payable from cash funds as defined by Arkansas Code
 25 19-4-801 of the State Board of Pharmacy, for personal services and operating
 26 expenses of the State Board of Pharmacy for the biennial period ending June
 27 30, 1997, the following:

29 ITEM	FISCAL YEARS	
	1995-96	1996-97
30 NO.		
31 (01) REGULAR SALARIES	\$ 277,735	\$
32 277,735		
33 (02) EXTRA HELP	8,000	
34 8,000		
35 (03) PERSONAL SERV MATCHING	68,519	

1	68,519		
2	(04) MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE \$	128,307 \$	128,307
4	(B) CONF. & TRVL.	17,220	17,220
5	(C) PROF. FEES	12,029	12,029
6	(D) CAP. OUTLAY	10,000	10,000
7	(E) DATA PROC.	<u>0</u>	<u>0</u>
8	TOTAL MAINT. & GEN. OPER.		167,556
9	167,556		
10	(05) REFUNDS/REIMBURSEMENTS		<u>1,000</u>
11	<u>1,000</u>		
12	TOTAL AMOUNT APPROPRIATED		<u>\$ 522,810 \$</u>
13	<u>522,810</u>		

14

15 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 16 this Act for Maintenance and General Operation shall be expended in payment
 17 for services of attorneys, unless the agency shall first make a request in
 18 writing to the Attorney General of the State of Arkansas to provide the
 19 required legal services. The Attorney General's Office shall provide the
 20 requested legal services, or, if the Attorney General's Office shall
 21 determine that sufficient personnel are not available to provide the
 22 requested legal services, the Attorney General shall certify the same to the
 23 agency and may authorize the agency to employ legal counsel and to expend
 24 monies appropriated for Maintenance and General Operations therefor, if:

- 25 (1) The Attorney General determines, and certifies in writing, that
 26 such agency needs the advice or assistance of legal counsel, and
 27 (2) The Attorney General consents in writing to the employment of the
 28 legal counsel to be retained by the agency.

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

34

35 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

1 authorized by this Act shall be limited to the appropriation for such agency
2 and funds made available by law for the support of such appropriations; and
3 the restrictions of the State Purchasing Law, the General Accounting and
4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
5 Procedures and Restrictions Act, or their successors, and other fiscal
6 control laws of this State, where applicable, and regulations promulgated by
7 the Department of Finance and Administration, as authorized by law, shall be
8 strictly complied with in disbursement of said funds.

9

10 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
11 Assembly that any funds disbursed under the authority of the appropriations
12 contained in this Act shall be in compliance with the stated reasons for
13 which this Act was adopted, as evidenced by the Agency Requests, Executive
14 Recommendations and Legislative Recommendations contained in the budget
15 manuals prepared by the Department of Finance and Administration, letters, or
16 summarized oral testimony in the official minutes of the Arkansas Legislative
17 Council or Joint Budget Committee which relate to its passage and adoption.

18

19

20 SECTION 7. CODE. All provisions of this Act of a general and
21 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
22 the Arkansas Code Revision Commission shall incorporate the same in the Code.

23

24 SECTION 8. SEVERABILITY. If any provision of this Act or the
25 application thereof to any person or circumstance is held invalid, such
26 invalidity shall not affect other provisions or applications of the Act which
27 can be given effect without the invalid provision or application, and to this
28 end the provisions of this Act are declared to be severable.

29

30 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
31 with this Act are hereby repealed.

32

33 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by
34 the Eightieth General Assembly, that the Constitution of the State of
35 Arkansas prohibits the appropriation of funds for more than a two (2) year

1 period; that the effectiveness of this Act on July 1, 1995 is essential to
2 the operation of the agency for which the appropriations in this Act are
3 provided, and that in the event of an extension of the Regular Session, the
4 delay in the effective date of this Act beyond July 1, 1995 could work
5 irreparable harm upon the proper administration and provision of essential
6 governmental programs. Therefore, an emergency is hereby declared to exist
7 and this Act being necessary for the immediate preservation of the public
8 peace, health and safety shall be in full force and effect from and after
9 July 1, 1995.

10
11
12
13
14
15
16
17
18
19