

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 80

4 By: Joint Budget Committee
5
6

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 OPTOMETRY FOR
10 THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER
11 PURPOSES."
12

Subtitle

13 "AN ACT FOR THE STATE BOARD OF OPTOMETRY
14 APPROPRIATION FOR THE 1995-97 BIENNIUM."
15
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 Optometry 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.
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			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1995-96	1996-97
35	(1)	7216 BD OF OPTOMETRY STENO/BOOKKEEPER	1	\$ 11,524	\$

1 11,812

2 (2) 7217 BD OF OPTOMETRY SECRETARY/TREASURER 1 \$ 6,368 \$

3 6,527

4 MAX NO. OF EMPLOYEES 2

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7 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State
 8 Board of Optometry, to be payable from cash funds as defined by Arkansas Code
 9 ~~19-4-801 of the State Board of Optometry, for personal services and operating~~
 10 expenses of the State Board of Optometry for the biennial period ending June
 11 30, 1997, the following:

12

13 ITEM	FISCAL YEARS	
14 NO.	1995-96	1996-97
15 (01) REGULAR SALARIES	\$ 17,456	\$
16 17,456		
17 (02) PERSONAL SERV MATCHING	8,435	
18 8,435		
19 (03) MAINT. & GEN. OPERATION		
20 (A) OPER. EXPENSE \$	24,184	\$ 24,184
21 (B) CONF. & TRVL.	0	0
22 (C) PROF. FEES	1,012	1,012
23 (D) CAP. OUTLAY	0	0
24 (E) DATA PROC. <u>400</u>	<u>400</u>	
25 TOTAL MAINT. & GEN. OPER.	<u>25,596</u>	
26 <u>25,596</u>		
27 TOTAL AMOUNT APPROPRIATED	<u>\$ 51,487</u>	<u>\$</u>
28 <u>51,487</u>		

29

30 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 31 this Act for Maintenance and General Operation shall be expended in payment
 32 for services of attorneys, unless the agency shall first make a request in
 33 writing to the Attorney General of the State of Arkansas to provide the
 34 required legal services. The Attorney General's Office shall provide the
 35 requested legal services, or, if the Attorney General's Office shall

1 determine that sufficient personnel are not available to provide the
2 requested legal services, the Attorney General shall certify the same to the
3 agency and may authorize the agency to employ legal counsel and to expend
4 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

14

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

24

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

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34 SECTION 6. CODE. All provisions of this Act of a general and
35 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and

1 the Arkansas Code Revision Commission shall incorporate the same in the Code.
2

3 SECTION 7. SEVERABILITY. If any provision of this Act or the
4 application thereof to any person or circumstance is held invalid, such
5 invalidity shall not affect other provisions or applications of the Act which
6 can be given effect without the invalid provision or application, and to this
7 end the provisions of this Act are declared to be severable.

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9 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
10 with this Act are hereby repealed.

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12 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
13 Eightieth General Assembly, that the Constitution of the State of Arkansas
14 prohibits the appropriation of funds for more than a two (2) year period;
15 that the effectiveness of this Act on July 1, 1995 is essential to the
16 operation of the agency for which the appropriations in this Act are
17 provided, and that in the event of an extension of the Regular Session, the
18 delay in the effective date of this Act beyond July 1, 1995 could work
19 irreparable harm upon the proper administration and provision of essential
20 governmental programs. Therefore, an emergency is hereby declared to exist
21 and this Act being necessary for the immediate preservation of the public
22 peace, health and safety shall be in full force and effect from and after
23 July 1, 1995.

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