

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

SENATE BILL 134

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE STATE BOARD OF PHARMACY FOR THE
11 BIENNIAL PERIOD ENDING JUNE 30, 1999; AND FOR OTHER
12 PURPOSES."

Subtitle

13
14 "AN ACT FOR THE STATE BOARD OF PHARMACY
15 APPROPRIATION FOR THE 1997-99 BIENNIUM."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. REGULAR SALARIES. There is hereby established for the State
21 Board of Pharmacy for the 1997-99 biennium, the following maximum number of
22 regular employees whose salaries shall be governed by the provisions of the
23 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
24 seq.), or its successor, and all laws amendatory thereto. Provided, however,
25 that any position to which a specific maximum annual salary is set out herein
26 in dollars, shall be exempt from the provisions of said Uniform Classification
27 and Compensation Act. All persons occupying positions authorized herein are
28 hereby governed by the provisions of the Regular Salaries Procedures and
29 Restrictions Act (Arkansas Code §21-5-101), or its successor.
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Item	Class	No. of	Maximum Annual		
		Employees	1997-98	1998-99	
			Maximum	Salary Rate	
			Fiscal Years		
No.	Code	Title	Employees	1997-98	1998-99
35	(1) 7174	BD OF PHARMACY EXECUTIVE DIRECTOR	1	\$ 73,441	\$ 75,497
36	(2) 7170	BD OF PHARMACY PHARMACIST INSPECTOR	1	\$ 55,310	\$ 56,858

1	(3) 7172 BD OF PHARMACY ASST DIR/FISCAL OFFR	1	\$ 50,000	\$ 51,400
2	(4) 7171 BD OF PHARMACY INSPECTOR	2	\$ 49,027	\$ 50,400
3	(5) 7173 BD OF PHARMACY SECRETARY	1	\$ 25,179	\$ 25,884
4	(6) 7337 BRD OF PHARMACY SECRETARY	<u>1</u>	\$ 19,500	\$ 20,046
5	MAX NO. OF EMPLOYEES	7		

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7 SECTION 2. EXTRA HELP. There is hereby authorized, for the State

8 Board of Pharmacy for the 1997-99 biennium, the following maximum number of

9 part-time or temporary employees, to be known as "Extra Help", payable from

10 funds appropriated herein for such purposes: four (4) temporary or part-time

11 employees, when needed, at rates of pay not to exceed those provided in the

12 Uniform Classification and Compensation Act, or its successor, or this act for

13 the appropriate classification.

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15 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State

16 Board of Pharmacy, to be payable from cash funds as defined by Arkansas Code

17 19-4-801 of the State Board of Pharmacy, for personal services and operating

18 expenses of the State Board of Pharmacy for the biennial period ending June

19 30, 1999, the following:

21	ITEM		FISCAL YEARS	
22	NO.		1997-98	1998-99
23	(01) REGULAR SALARIES	\$	321,484	\$ 330,485
24	(02) EXTRA HELP		8,000	8,000
25	(03) PERSONAL SERV MATCHING		81,962	83,774
26	(04) MAINT. & GEN. OPERATION			
27	(A) OPER. EXPENSE		134,851	134,851
28	(B) CONF. & TRVL.		12,220	12,220
29	(C) PROF. FEES		10,029	10,029
30	(D) CAP. OUTLAY		10,000	10,000
31	(E) DATA PROC.		0	0
32	(05) REFUNDS/REIMBURSEMENTS		<u>1,000</u>	<u>1,000</u>
33	TOTAL AMOUNT APPROPRIATED	\$	<u>579,546</u>	\$ <u>590,359</u>

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35 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in

1 this Act for Maintenance and General Operation shall be expended in payment
2 for services of attorneys, unless the agency shall first make a request in
3 writing to the Attorney General of the State of Arkansas to provide the
4 required legal services. The Attorney General's Office shall provide the
5 requested legal services, or, if the Attorney General's Office shall determine
6 that sufficient personnel are not available to provide the requested legal
7 services, the Attorney General shall certify the same to the agency and may
8 authorize the agency to employ legal counsel and to expend monies appropriated
9 for Maintenance and General Operations therefor, if:

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

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

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

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20 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
21 authorized by this Act shall be limited to the appropriation for such agency
22 and funds made available by law for the support of such appropriations; and
23 the restrictions of the State Purchasing Law, the General Accounting and
24 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
25 Procedures and Restrictions Act, or their successors, and other fiscal control
26 laws of this State, where applicable, and regulations promulgated by the
27 Department of Finance and Administration, as authorized by law, shall be
28 strictly complied with in disbursement of said funds.

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30 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
31 Assembly that any funds disbursed under the authority of the appropriations
32 contained in this Act shall be in compliance with the stated reasons for which
33 this Act was adopted, as evidenced by the Agency Requests, Executive
34 Recommendations and Legislative Recommendations contained in the budget
35 manuals prepared by the Department of Finance and Administration, letters, or

1 summarized oral testimony in the official minutes of the Arkansas Legislative
2 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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17 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
18 Eighty-First General Assembly, that the Constitution of the State of Arkansas
19 prohibits the appropriation of funds for more than a two (2) year period; that
20 the effectiveness of this Act on July 1, 1997 is essential to the operation of
21 the agency for which the appropriations in this Act are provided, and that in
22 the event of an extension of the Regular Session, the delay in the effective
23 date of this Act beyond July 1, 1997 could work irreparable harm upon the
24 proper administration and provision of essential governmental programs.
25 Therefore, an emergency is hereby declared to exist and this Act being
26 necessary for the immediate preservation of the public peace, health and
27 safety shall be in full force and effect from and after July 1, 1997.

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