

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 58

4  
5 By: Joint Budget Committee  
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## For An Act To Be Entitled

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9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
10 OPERATING EXPENSES FOR THE STATE BOARD OF OPTOMETRY FOR  
11 THE BIENNIAL PERIOD ENDING JUNE 30, 1999; AND FOR OTHER  
12 PURPOSES."  
13

## Subtitle

14  
15 "AN ACT FOR THE STATE BOARD OF OPTOMETRY  
16 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 Optometry 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	
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees</del>	<del>1997-98 1998-99</del>
35	(1) 7216	BD OF OPTOMETRY STENO/BOOKKEEPER	1	\$ 12,457 \$ 12,805
36	(2) 7217	BD OF OPTOMETRY SECRETARY/TREASURER	<u>1</u>	\$ 6,882 \$ 7,074

1 MAX NO. OF EMPLOYEES 2

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3 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State  
 4 Board of Optometry, to be payable from cash funds as defined by Arkansas Code  
 5 19-4-801 of the State Board of Optometry, for personal services and operating  
 6 expenses of the State Board of Optometry for the biennial period ending June  
 7 30, 1999, the following:

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9 ITEM	FISCAL YEARS	
10 <del>NO.</del>	<del>1997-98</del>	<del>1998-99</del>
11 (01) REGULAR SALARIES	\$ 19,339	\$ 19,879
12 (02) PERSONAL SERV MATCHING	9,437	9,533
13 (03) MAINT. & GEN. OPERATION		
14 (A) OPER. EXPENSE	23,154	23,154
15 (B) CONF. & TRVL.	0	0
16 (C) PROF. FEES	1,012	1,012
17 (D) CAP. OUTLAY	0	0
18 (E) DATA PROC.	<u>400</u>	<u>400</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$ 53,342</u>	<u>\$ 53,978</u>

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21 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 22 this Act for Maintenance and General Operation shall be expended in payment  
 23 for services of attorneys, unless the agency shall first make a request in  
 24 writing to the Attorney General of the State of Arkansas to provide the  
 25 required legal services. The Attorney General's Office shall provide the  
 26 requested legal services, or, if the Attorney General's Office shall determine  
 27 that sufficient personnel are not available to provide the requested legal  
 28 services, the Attorney General shall certify the same to the agency and may  
 29 authorize the agency to employ legal counsel and to expend monies appropriated  
 30 for Maintenance and General Operations therefor, if:

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

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

35 Such certification shall be required with respect to each instance of

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

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

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

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

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

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35 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict

1 with this Act are hereby repealed.

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SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1997 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 Regular Session, the delay in the effective date of this Act beyond July 1, 1997 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, 1997.

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