

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H2/10/99 H3/26/99

A Bill

HOUSE BILL 1286

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

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE STATE BOARD OF PHARMACY
11 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2001; AND FOR
12 OTHER PURPOSES."

Subtitle

15 "AN ACT FOR THE STATE BOARD OF PHARMACY
16 APPROPRIATION FOR THE 1999-2001 BIENNIUM."
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. REGULAR SALARIES - PHARMACY BOARD. There is hereby established
22 for the State Board of Pharmacy for the 1999-2001 biennium, the following
23 maximum number of regular employees whose salaries shall be governed by the
24 provisions of the Uniform Classification and Compensation Act (Arkansas Code
25 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
26 Provided, however, that any position to which a specific maximum annual salary
27 is set out herein in dollars, shall be exempt from the provisions of said
28 Uniform Classification and Compensation Act. All persons occupying positions
29 authorized herein are hereby governed by the provisions of the Regular
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
31 successor.
32

		Maximum Annual		
		Maximum	Salary Rate	
Item	Class	No. of	Fiscal Years	
No.	Code Title	Employees	1999-2000	2000-2001

PLR030

1	(1)	7174	BD OF PHARMACY EXECUTIVE DIRECTOR	1	\$79,422	\$81,645
2	(2)	7170	BD OF PHARMACY PHARMACIST INSPECTOR	1	\$59,815	\$61,489
3	(3)	7172	BD OF PHARMACY ASST DIR/FISCAL OFFR	1	\$54,072	\$55,586
4	(4)	7171	BD OF PHARMACY INSPECTOR	3	\$53,020	\$54,504
5	(5)	7173	BD OF PHARMACY SECRETARY	1	\$27,229	\$27,991
6	(6)	7337	BRD OF PHARMACY SECRETARY	1	\$21,088	\$21,678
7	(7)	7337	PHARMACY SECRETARY	<u>1</u>	\$18,750	\$19,275
8			MAX. NO. OF EMPLOYEES	9		

SECTION 2. EXTRA HELP – PHARMACY BOARD. There is hereby authorized, for the State Board of Pharmacy for the 1999-2001 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: four (4) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATIONS - PHARMACY BOARD OPERATIONS. There is hereby appropriated, to the State Board of Pharmacy, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the State Board of Pharmacy, for personal services and operating expenses of the State Board of Pharmacy for the biennial period ending June 30, 2001, the following:

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 419,436	\$ 431,176
(02) EXTRA HELP	8,000	8,000
(03) PERSONAL SERV MATCHING	106,101	108,450
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	150,043	150,043
(B) CONF. & TRAVEL	27,220	27,220
(C) PROF. FEES	5,500	5,500
(D) CAP. OUTLAY	10,000	10,000
(E) DATA PROC.	0	0
(05) REFUNDS/REIMBURSEMENTS	<u>2,000</u>	<u>2,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 728,300</u>	<u>\$ 742,389</u>

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2 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
3 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INVESTMENT
4 OPTIONS. The agency, board or commission, to which appropriation in this Act
5 is made, shall consider all possible options available in investing cash fund
6 balances for which it is responsible. Such options investigated shall
7 specifically include the provisions of the Treasury Management Trust Fund
8 option beginning at Arkansas Code 19-3-602. In the event that the Treasury
9 Management Trust Fund option is not selected, the agency, board, or commission
10 shall report to the State Board of Finance the option selected and the
11 additional benefits accruing by selecting a different option.
12

13 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this
14 Act for Maintenance and General Operation shall be expended in payment for
15 services of attorneys, unless the agency shall first make a request in writing
16 to the Attorney General of the State of Arkansas to provide the required legal
17 services. The Attorney General's Office shall provide the requested legal
18 services, or, if the Attorney General's Office shall determine that sufficient
19 personnel are not available to provide the requested legal services, the
20 Attorney General shall certify the same to the agency and may authorize the
21 agency to employ legal counsel and to expend monies appropriated for
22 Maintenance and General Operations therefor, if:

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

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

27 Such certification shall be required with respect to each instance of the
28 employment of special legal counsel, or shall be required annually with
29 respect to legal counsel employed on a retainer basis. A copy of such
30 certification shall be entered in the official minutes of the agency, and
31 shall be retained in the fiscal records of the agency for audit purposes.
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33 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
34 this act shall be limited to the appropriation for such agency and funds made
35 available by law for the support of such appropriations; and the restrictions
36 of the State Purchasing Law, the General Accounting and Budgetary Procedures

1 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
2 Restrictions Act, or their successors, and other fiscal control laws of this
3 State, where applicable, and regulations promulgated by the Department of
4 Finance and Administration, as authorized by law, shall be strictly complied
5 with in disbursement of said funds.

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7 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly
8 that any funds disbursed under the authority of the appropriations contained
9 in this act shall be in compliance with the stated reasons for which this act
10 was adopted, as evidenced by the Agency Requests, Executive Recommendations
11 and Legislative Recommendations contained in the budget manuals prepared by
12 the Department of Finance and Administration, letters, or summarized oral
13 testimony in the official minutes of the Arkansas Legislative Council or Joint
14 Budget Committee which relate to its passage and adoption.

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16 SECTION 8. CODE. All provisions of this Act of a general and permanent
17 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
18 Code Revision Commission shall incorporate the same in the Code.

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20 SECTION 9. SEVERABILITY. If any provision of this act or the application
21 thereof to any person or circumstance is held invalid, such invalidity shall
22 not affect other provisions or applications of the act which can be given
23 effect without the invalid provision or application, and to this end the
24 provisions of this act are declared to be severable.

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26 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict with
27 this act are hereby repealed.

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29 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
30 Eighty-second General Assembly, that the Constitution of the State of Arkansas
31 prohibits the appropriation of funds for more than a two (2) year period; that
32 the effectiveness of this Act on July 1, 1999 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the Regular Session, the delay in the effective
35 date of this Act beyond July 1, 1999 could work irreparable harm upon the
36 proper administration and provision of essential governmental programs.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after July 1, 1999.

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5 */s/ Joint Budget Committee*
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