

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 1271

4
5 By: Joint Budget Committee
6
7

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, 2003; AND FOR
12 OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE STATE BOARD OF PHARMACY
16 APPROPRIATION FOR THE 2001-2003 BIENNIUM.
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES. There is hereby established for the State
23 Board of Pharmacy for the 2001-2003 biennium, the following maximum number of
24 regular employees whose salaries shall be governed by the provisions of the
25 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
26 seq.), or its successor, and all laws amendatory thereto. Provided, however,
27 that any position to which a specific maximum annual salary is set out herein
28 in dollars, shall be exempt from the provisions of said Uniform Classification
29 and Compensation Act. All persons occupying positions authorized herein are
30 hereby governed by the provisions of the Regular Salaries Procedures and
31 Restrictions Act (Arkansas Code §21-5-101), or its successor.
32

		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
No.	Code	Empl oyees	2001-2002 2002-2003
<hr/>			

1	(1)	7174	PHARMACY BD EXECUTIVE DIRECTOR	1	\$99,000	\$101,574
2	(2)	7170	CHIEF PHARMACY INSPECTOR	1	\$75,395	\$77,355
3	(3)	7171	PHARMACY BD PHARMACY INSPECTOR	3	\$68,974	\$70,767
4	(4)	7172	PHARMACY BD ASST DIR/FISCAL OFFR	1	\$59,025	\$60,560
5	(5)	7173	PHARMACY BD ADMIN ASST	1	\$30,726	\$31,525
6	(6)	7337	PHARMACY BD SECRETARY II	1	\$24,243	\$24,873
7	(7)	7777	PHARMACY BD SECRETARY I	<u>1</u>	\$21,771	\$22,337
8			MAX. NO. OF EMPLOYEES	9		

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of Pharmacy for the 2001-2003 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 - CASH 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, 2003, the following:

ITEM		FISCAL YEARS	
NO.		2001-2002	2002-2003
(01)	REGULAR SALARIES	\$ 517,082	\$ 530,525
(02)	EXTRA HELP	8,000	8,000
(03)	PERSONAL SERV MATCHING	142,539	146,383
(04)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	155,043	155,043
(B)	CONF. & TRAVEL	22,220	22,220
(C)	PROF. FEES	5,500	5,500
(D)	CAP. OUTLAY	12,000	10,000
(E)	DATA PROC.	0	0
(05)	REFUNDS/REIMBURSEMENTS	<u>2,000</u>	<u>2,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 864,384</u>	<u>\$ 879,671</u>

1
 2 SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 3 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
 4 appropriations as provided in this Act, the agency disbursing officer shall
 5 monitor the level of fund balances in relation to expenditures on a monthly
 6 basis. If any proposed expenditures would cause a fund balance to decline to
 7 less than fifty percent (50%) of the balance available on July 1, 2001, the
 8 disbursing officer shall immediately notify the executive head of the agency.

9 Prior to any obligations being made under these circumstances, the agency
 10 head shall file written documentation with the Chief Fiscal Officer of the
 11 State requesting approval of the expenditures. Such documentation shall
 12 provide sufficient financial data to justify the expenditures and shall
 13 include the following:

- 14 1) a plan that clearly indicates the specific fiscal impact of such
 15 expenditures on the fund balance.
- 16 2) information clearly indicating and explaining what programs would be cut or
 17 any other measures to be taken by the agency to restore the fund balance.
- 18 3) the extent to which any of the planned expenditures are for one-time costs
 19 or one-time purchase of capitalized items.
- 20 4) a statement certifying that the expenditure of fund balances will not
 21 jeopardize the financial health of the agency, nor result in a permanent
 22 depletion of the fund balance.

23 (B) The Chief Fiscal Officer of the State shall review the request and
 24 approve or disapprove all or any part of the request , after having sought
 25 prior review by the Legislative Council.

26
 27 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this
 28 Act for Maintenance and General Operation shall be expended in payment for
 29 services of attorneys, unless the agency shall first make a request in writing
 30 to the Attorney General of the State of Arkansas to provide the required legal
 31 services. The Attorney General's Office shall provide the requested legal
 32 services, or, if the Attorney General's Office shall determine that sufficient
 33 personnel are not available to provide the requested legal services, the
 34 Attorney General shall certify the same to the agency and may authorize the
 35 agency to employ legal counsel and to expend monies appropriated for
 36 Maintenance and General Operations therefor, if:

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

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

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

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

20
21 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly
22 that any funds disbursed under the authority of the appropriations contained
23 in this act shall be in compliance with the stated reasons for which this act
24 was adopted, as evidenced by the Agency Requests, Executive Recommendations
25 and Legislative Recommendations contained in the budget manuals prepared by
26 the Department of Finance and Administration, letters, or summarized oral
27 testimony in the official minutes of the Arkansas Legislative Council or Joint
28 Budget Committee which relate to its passage and adoption.

29
30 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
31 Assembly, that the Constitution of the State of Arkansas prohibits the
32 appropriation of funds for more than a two (2) year period; that the
33 effectiveness of this Act on July 1, 2001 is essential to the operation of the
34 agency for which the appropriations in this Act are provided, and that in the
35 event of an extension of the Regular Session, the delay in the effective date
36 of this Act beyond July 1, 2001 could work irreparable harm upon the proper

1 administration and provision of essential governmental programs. Therefore, an
2 emergency is hereby declared to exist and this Act being necessary for the
3 immediate preservation of the public peace, health and safety shall be in full
4 force and effect from and after July 1, 2001.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36