

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 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 63

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE STATE
11 BOARD OF OPTOMETRY FOR THE BIENNIAL PERIOD ENDING
12 JUNE 30, 2007; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE STATE BOARD OF OPTOMETRY
16 APPROPRIATION FOR THE 2005-2007
17 BIENNIUM.
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19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the State
24 Board of Optometry for the 2005-2007 biennium, the following maximum number
25 of regular employees whose salaries shall be governed by the provisions of
26 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,
28 that any position to which a specific maximum annual salary is set out herein
29 in dollars, shall be exempt from the provisions of said Uniform
30 Classification and Compensation Act. All persons occupying positions
31 authorized herein are hereby governed by the provisions of the Regular
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
33 successor.
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Maximum Annual
Maximum Salary Rate



Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2005-2006	2006-2007
(1)	7217	BD OF OPTOMETRY EXECUTIVE DIRECTOR	1	\$33,437	\$34,440
(2)	7216	BD OF OPTOMETRY STENO/BOOKKEEPER	<u>1</u>	\$19,645	\$20,245
		MAX. NO. OF EMPLOYEES	2		

SECTION 2. APPROPRIATIONS - CASH OPERATIONS. There is hereby appropriated, to the State Board of Optometry, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the State Board of Optometry, for personal services and operating expenses of the State Board of Optometry for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 53,082	\$ 54,685
(02) PERSONAL SERVICES MATCHING	17,660	17,960
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	26,254	26,254
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	39,012	39,012
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>400</u>	<u>400</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 136,408</u>	<u>\$ 138,311</u>

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

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

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

3 Such certification shall be required with respect to each instance of the
4 employment of special legal counsel, or shall be required annually with
5 respect to legal counsel employed on a retainer basis. A copy of such
6 certification shall be entered in the official minutes of the agency, and
7 shall be retained in the fiscal records of the agency for audit purposes.
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9 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
10 by this act shall be limited to the appropriation for such agency and funds
11 made available by law for the support of such appropriations; and the
12 restrictions of the State Procurement Law, the General Accounting and
13 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
14 Procedures and Restrictions Act, or their successors, and other fiscal
15 control laws of this State, where applicable, and regulations promulgated by
16 the Department of Finance and Administration, as authorized by law, shall be
17 strictly complied with in disbursement of said funds.
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19 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
20 that any funds disbursed under the authority of the appropriations contained
21 in this act shall be in compliance with the stated reasons for which this act
22 was adopted, as evidenced by the Agency Requests, Executive Recommendations
23 and Legislative Recommendations contained in the budget manuals prepared by
24 the Department of Finance and Administration, letters, or summarized oral
25 testimony in the official minutes of the Arkansas Legislative Council or
26 Joint Budget Committee which relate to its passage and adoption.
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28 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
29 Assembly, that the Constitution of the State of Arkansas prohibits the
30 appropriation of funds for more than a two (2) year period; that the
31 effectiveness of this Act on July 1, 2005 is essential to the operation of
32 the agency for which the appropriations in this Act are provided, and that in
33 the event of an extension of the Regular Session, the delay in the effective
34 date of this Act beyond July 1, 2005 could work irreparable harm upon the
35 proper administration and provision of essential governmental programs.
36 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and
2 safety shall be in full force and effect from and after July 1, 2005.

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