

Stricken language will be deleted and underlined language will be added.
Act 710 of the Regular Session

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/13/15
A Bill

HOUSE BILL 1036

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE STATE BOARD OF
PHARMACY FOR THE FISCAL YEAR ENDING JUNE 30, 2016;
AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE STATE BOARD OF PHARMACY
APPROPRIATION FOR THE 2015-2016 FISCAL
YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the State Board of Pharmacy for the 2015-2016 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2015-2016
(1)	N001N	DIRECTOR OF PHARMACY BOARD	1	GRADE N918
(2)	L015N	ASST PHARMACY DIRECTOR	1	GRADE N914
(3)	L016N	REGISTERED PHARMACIST	3	GRADE N911
(4)	<i>G041N</i>	<i>ASPB GENERAL COUNSEL</i>	<i>1</i>	<i>GRADE N906</i>
(5)	A023C	PHARMACY BOARD CHIEF FISCAL OFFICER	1	GRADE C125
(6)	C037C	ADMINISTRATIVE ANALYST	2	GRADE C115
(7)	D087C	DATABASE COORD/BUSINESS LIC ANALYST	1	GRADE C113



(8) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
MAX. NO. OF EMPLOYEES	11	

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of Pharmacy for the 2015-2016 fiscal year, 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. APPROPRIATION - CASH OPERATIONS. There is hereby appropriated, to the State Board of Pharmacy, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the State Board of Pharmacy for the fiscal year ending June 30, 2016, the following:

ITEM NO.	FISCAL YEAR 2015-2016
(01) REGULAR SALARIES	\$868,678
(02) EXTRA HELP	16,000
(03) PERSONAL SERVICES MATCHING	248,546
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	486,985
(B) CONF. & TRAVEL	29,120
(C) PROF. FEES	25,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) REFUNDS/REIMBURSEMENTS	3,000
(06) IMPAIRED PHARMACIST PROGRAM	<u>50,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,727,329</u></u>

SECTION 4. APPROPRIATION - PHARMACY STUDENT LOANS. There is hereby appropriated, to the State Board of Pharmacy, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal

Officer of the State, for transfer by warrant to the cash fund as defined by Arkansas Code 19-4-801 of the University of Arkansas for Medical Sciences - College of Pharmacy for the fiscal year ending June 30, 2016, the following:

ITEM NO.	FISCAL YEAR 2015-2016
(01) PHARMACY STUDENT LOANS	<u>\$50,000</u>

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER BY WARRANT. If, during the ~~2014-2015~~ 2015-2016 fiscal year, the need arises for additional funding for student loans and additional funds become available, the Director of the State Board of Pharmacy may request the Chief Fiscal Officer of the State to cause a transfer by warrant up to fifty thousand dollars (\$50,000) from the balance of cash funds deposited in the State Treasury for the State Board of Pharmacy to the cash fund as defined by the Arkansas Code 19-4-801 of the University of Arkansas for Medical Sciences, there to be used for the sole purpose of providing student loans to pharmacy students.

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

SECTION 6. SPECIAL LANGUAGE. Amend Arkansas Code §17-92-208 concerning Pharmacy Board Employees:

17-92-208. Employees.

(a) The Arkansas State Board of Pharmacy is authorized to make payment for services, salaries, and other purposes from the funds received by the board from issuance of licensed pharmacy permits, renewals, or certificates of licensure of licensed pharmacists, examinations, reciprocity fees, and from other moneys collected.

(b)(1) The board is authorized to employ an attorney to supervise and conduct its investigations and to institute and prosecute actions and charges for the violation of the provisions of the Arkansas Pharmacy Act, § 17-92-101 et seq.

~~*(2) The board may pay to the attorney a sum not to exceed three hundred sixty-six dollars and sixty-five cents (\$366.65) per month from its general*~~

~~operation funds.~~

~~(3) (2) The attorney employed or retained by the board shall may make regular reports to the Attorney General of the actions instituted or prosecuted by him or her.~~

~~(4) (3) Appeals from the circuit court to the Supreme Court in matters affecting the action of the board shall may be handled by the office of the Attorney General.~~

~~(5) The attorney so employed shall not be considered a state employee and shall not be entitled to any of the benefits of retirement, insurance, workers' compensation, or other perquisites enjoyed by state employees.~~

(c) The board is authorized to make reimbursement of the necessary and reasonable travel, board, and lodging expenses of the staff of the board incurred in the performance of their duties.

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

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

SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the

effectiveness of this Act on July 1, 2015 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 legislative session, the delay in the effective date of this Act beyond July 1, 2015 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, 2015.

/s/Joint Budget Committee

APPROVED: 03/27/2015