

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

SENATE BILL

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE STATE BOARD OF  
10 OPTOMETRY FOR THE FISCAL YEAR ENDING JUNE 30, 2020;  
11 AND FOR OTHER PURPOSES.  
12  
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## Subtitle

14 AN ACT FOR THE STATE BOARD OF OPTOMETRY  
15 APPROPRIATION FOR THE 2019-2020 FISCAL  
16 YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
23 Board of Optometry for the 2019-2020 fiscal year, the following maximum  
24 number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
30	(1) X145C	BOARD OF OPTOMETRY EXECUTIVE DIR	1	GRADE GS06
31	(2) A098C	FISCAL SUPPORT SPECIALIST	<u>1</u>	GRADE GS04
32		MAX. NO. OF EMPLOYEES	2	

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34 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
35 to the State Board of Optometry, to be payable from cash funds as defined by  
36 Arkansas Code 19-4-801 of the State Board of Optometry, for personal services



1 and operating expenses of the State Board of Optometry for the fiscal year  
 2 ending June 30, 2020, the following:

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4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2019-2020</u>
6 (01) REGULAR SALARIES	\$82,061
7 (02) PERSONAL SERVICES MATCHING	28,233
8 (03) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	32,000
10 (B) CONF. & TRAVEL	0
11 (C) PROF. FEES	35,000
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$177,294</u></u>

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16 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
 18 STATE BOARD OF OPTOMETRY EMPLOYMENT OF ATTORNEYS. None of the funds  
 19 appropriated in this Act for Maintenance and General Operation shall be  
 20 expended in payment for services of attorneys, unless the agency shall first  
 21 make a request in writing to the Attorney General of the State of Arkansas to  
 22 provide the required legal services. The Attorney General's Office shall  
 23 provide the requested legal services, or, if the Attorney General's Office  
 24 shall determine that sufficient personnel are not available to provide the  
 25 requested legal services, the Attorney General shall certify the same to the  
 26 agency and may authorize the agency to employ legal counsel and to expend  
 27 monies appropriated for Maintenance and General Operations therefore, if:

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

30 (2) The Attorney General consents in writing to the employment of the  
 31 legal counsel to be retained by the agency, and

32 (3) The Attorney General receives confirmation in writing from the  
 33 agency that the agency will re-advertise annually for legal counsel if  
 34 outside legal counsel is hired and that any amount to be paid for outside  
 35 legal counsel will receive prior review by the Arkansas Legislative Council  
 36 or Joint Budget Committee.

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

6           The provisions of this section shall be in effect only from July 1, ~~2018~~  
7 2019 through June 30, ~~2019~~ 2020.

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9           SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
10 authorized by this act shall be limited to the appropriation for such agency  
11 and funds made available by law for the support of such appropriations; and  
12 the 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  
20 Assembly that any funds disbursed under the authority of the appropriations  
21 contained in this act shall be in compliance with the stated reasons for  
22 which this act was adopted, as evidenced by the Agency Requests, Executive  
23 Recommendations and Legislative Recommendations contained in the budget  
24 manuals prepared by the Department of Finance and Administration, letters, or  
25 summarized oral testimony in the official minutes of the Arkansas Legislative  
26 Council or 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 one (1) year period; that the  
31 effectiveness of this Act on July 1, 2019 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 legislative session, the delay in the  
34 effective date of this Act beyond July 1, 2019 could work irreparable harm  
35 upon the proper administration and provision of essential governmental  
36 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, 2019.

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