

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A BILL ACT 901 OF 1991
HOUSE BILL 1737

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE STATE BOARD OF DENTAL EXAMINERS
10 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR
11 OTHER PURPOSES."

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

15 SECTION 1. REGULAR SALARIES. There is hereby established for the State
16 Board of Dental Examiners for the 1991-93 biennium, the following maximum
17 number of regular employees whose salaries shall be governed by the provisions
18 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201
19 et seq.), or its successor, and all laws amendatory thereto. Provided,
20 however, that any position to which a specific maximum annual salary is set
21 out herein in dollars, shall be exempt from the provisions of said Uniform
22 Classification and Compensation Act. All persons occupying positions
23 authorized herein are hereby governed by the provisions of the Regular
24 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
25 successor.

Item	Class	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				1991-92	1992-93
31	(1) 7133	BD OF DENTAL EXAM EXEC DIRECTOR	1	\$ 33,588	\$ 36,947
32	(2) 7233	BD OF DENTAL EXAMINERS ATTORNEY	1	\$ 21,049	\$ 22,101
33	(3) 8707	BD OF DENTAL EXAM DEPUTY DIRECTOR	1	\$ 25,000	\$ 27,500
34	(4) 7139	BD OF DENTAL COMPUTER OPS SPECIAL	1	\$ 17,000	\$ 17,850
35	(5) 7134	BD OF DENTAL EXAM INVESTIGATOR	1	\$ 16,839	\$ 17,681
36	(6) 7132	BD OF DENTAL EXAM SECRETARY/TREAS	<u>1</u>	\$ 2,641	\$ 2,773

1 MAX NO. OF EMPLOYEES 6

2
 3 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State
 4 Board of Dental Examiners, to be payable from cash funds as defined by
 5 Arkansas Code 19-4-801 of the State Board of Dental Examiners, for personal
 6 services and operating expenses of the State Board of Dental Examiners for the
 7 biennial period ending June 30, 1993, the following:

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9 ITEM	FISCAL YEARS	
10 NO.	1991-92	1992-93
11 (01) REGULAR SALARIES	\$ 109,087	\$ 114,419
12 (02) PERSONAL SERV MATCHING	28,535	30,199
13 (03) MAINT. & GEN. OPERATION		
14 (A) OPER. EXPENSES	\$ 65,906	\$ 66,306
15 (B) CONF. & TRAVEL	5,836	5,836
16 (C) PROF. FEES	11,630	11,630
17 (D) CAPITAL OUTLAY	4,000	4,000
18 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
19 TOTAL MAINT. & GEN. OPER.	<u>87,372</u>	<u>87,772</u>
20 TOTAL AMOUNT APPROPRIATED	<u>\$ 224,994</u>	<u>\$ 232,390</u>

21
 22 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 23 this Act for Maintenance and General Operation shall be expended in payment
 24 for services of attorneys, unless the agency shall first make a request in
 25 writing to the Attorney General of the State of Arkansas to provide the
 26 required legal services. The Attorney General's Office shall provide the
 27 requested legal services, or, if the Attorney General's Office shall determine
 28 that sufficient personnel are not available to provide the requested legal
 29 services, the Attorney General shall certify the same to the agency and may
 30 authorize the agency to employ legal counsel and to expend monies appropriated
 31 for Maintenance and General Operations therefor, if:

- 32 (1) The Attorney General determines, and certifies in writing, that
 33 such agency needs the advice or assistance of legal counsel, and
 34 (2) The Attorney General consents in writing to the employment of the
 35 legal counsel to be retained by the agency.

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

7 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
8 authorized by this Act shall be limited to the appropriation for such agency
9 and funds made available by law for the support of such appropriations; and
10 the restrictions of the State Purchasing Law, the General Accounting and
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
12 Procedures and Restrictions Act, or their successors, and other fiscal control
13 laws of this State, where applicable, and regulations promulgated by the
14 Department of Finance and Administration, as authorized by law, shall be
15 strictly complied with in disbursement of said funds.
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17 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
18 Assembly that any funds disbursed under the authority of the appropriations
19 contained in this Act shall be in compliance with the stated reasons for which
20 this Act was adopted, as evidenced by the Agency Requests, Executive
21 Recommendations and Legislative Recommendations contained in the budget
22 manuals prepared by the Department of Finance and Administration, letters, or
23 summarized oral testimony in the official minutes of the Arkansas Legislative
24 Council or Joint Budget Committee which relate to its passage and adoption.
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26 SECTION 6. CODE. All provisions of this Act of a general and permanent
27 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
28 Code Revision Commission shall incorporate the same in the Code.
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30 SECTION 7. SEVERABILITY. If any provision of this Act or the
31 application thereof to any person or circumstance is held invalid, such
32 invalidity shall not affect other provisions or applications of the Act which
33 can be given effect without the invalid provision or application, and to this
34 end the provisions of this Act are declared to be severable.
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1 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
2 with this Act are hereby repealed.

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4 SECTION 9. HEALTH PREMIUMS. The State Board of Dental Examiners shall
5 not, during the 1992-93 fiscal year, spend more for health insurance per
6 employee than the amount being contributed to the State Employees Health
7 Insurance Program.

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9 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
10 Seventy-Eighth General Assembly, that the Constitution of the State of
11 Arkansas prohibits the appropriation of funds for more than a two (2) year
12 period; that the effectiveness of this Act on July 1, 1991 is essential to the
13 operation of the agency for which the appropriations in this Act are provided,
14 and that in the event of an extension of the Regular Session, the delay in the
15 effective date of this Act beyond July 1, 1991 could work irreparable harm
16 upon the proper administration and provision of essential governmental
17 programs. Therefore, an emergency is hereby declared to exist and this Act
18 being necessary for the immediate preservation of the public peace, health and
19 safety shall be in full force and effect from and after July 1, 1991.

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/s/ John E. Miller

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APPROVED: 3/29/91

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