

**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.
Act 229 of the Regular Session**

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

SENATE BILL 58

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
11 STATE BOARD OF DENTAL EXAMINERS FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2007; AND FOR OTHER
13 PURPOSES.
14

Subtitle

16 AN ACT FOR THE ARKANSAS STATE BOARD OF
17 DENTAL EXAMINERS APPROPRIATION FOR THE
18 2005-2007 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
25 the Arkansas State Board of Dental Examiners for the 2005-2007 biennium, the
26 following maximum number of regular employees whose salaries shall be
27 governed by the provisions of the Uniform Classification and Compensation Act
28 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
29 thereto. Provided, however, that any position to which a specific maximum
30 annual salary is set out herein in dollars, shall be exempt from the
31 provisions of said Uniform Classification and Compensation Act. All persons
32 occupying positions authorized herein are hereby governed by the provisions
33 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
34 101), or its successor.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate		
				2005-2006	2006-2007	
1	(1)	7133	BD OF DENTAL EXAM EXEC DIRECTOR	1	\$60,575	\$62,275
2	(2)	8707	DENTAL BD INVESTIGATOR	1	\$46,099	\$47,481
3	(3)	7139	BD OF DENTAL ADMIN ASST II	1	\$28,292	\$29,140
4	(4)	9310	BD OF DENTAL ACCOUNTING SPECIALIST	1	\$28,031	\$28,871
5	(5)	7134	BD OF DENTAL ADMIN ASST I	<u>1</u>	\$28,026	\$28,866
6	MAX. NO. OF EMPLOYEES			5		

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

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 191,023	\$ 196,633
(02) PERSONAL SERVICES MATCHING	56,888	57,996
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	114,637	114,637
(B) CONF. & TRAVEL	7,166	7,166
(C) PROF. FEES	42,126	42,126
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) REFUND/REIMBURSEMENTS	<u>2,800</u>	<u>2,800</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 414,640</u>	<u>\$ 421,358</u>

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. DENTAL EXAMINERS CASH - CASH FUNDS AS DEFINED BY ARKANSAS CODE 19-4-801. (A) For all appropriations as provided in this Act, the agency

1 disbursing officer shall monitor the level of fund balances in relation to
 2 expenditures on a monthly basis. If any proposed expenditures would cause
 3 the Dental Examiners Cash - cash funds as defined by Arkansas Code 19-4-801
 4 to decline below one hundred eighty seven thousand three hundred and ninety
 5 one dollars (\$187,391), the disbursing officer shall immediately notify the
 6 executive head of the agency. Prior to any obligations being made under
 7 these circumstances, the agency head shall file written documentation with
 8 the Chief Fiscal Officer of the State requesting approval of the
 9 expenditures. Such documentation shall provide sufficient financial data to
 10 justify the expenditures and shall include the following:

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

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

23 The provisions of this section shall be in effect only from July 1, ~~2003~~
 24 2005 through June 30, ~~2005~~ 2007.

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 26 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 27 this Act for Maintenance and General Operation shall be expended in payment
 28 for services of attorneys, unless the agency shall first make a request in
 29 writing to the Attorney General of the State of Arkansas to provide the
 30 required legal services. The Attorney General's Office shall provide the
 31 requested legal services, or, if the Attorney General's Office shall
 32 determine that sufficient personnel are not available to provide the
 33 requested legal services, the Attorney General shall certify the same to the
 34 agency and may authorize the agency to employ legal counsel and to expend
 35 monies appropriated for Maintenance and General Operations therefor, if:

- 36 (1) The Attorney General determines, and certifies in writing, that such

1 agency needs the advice or assistance of legal counsel, and

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

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

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10 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
11 by this act shall be limited to the appropriation for such agency and funds
12 made available by law for the support of such appropriations; and the
13 restrictions of the State Procurement Law, the General Accounting and
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
15 Procedures and Restrictions Act, or their successors, and other fiscal
16 control laws of this State, where applicable, and regulations promulgated by
17 the Department of Finance and Administration, as authorized by law, shall be
18 strictly complied with in disbursement of said funds.

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20 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
21 that any funds disbursed under the authority of the appropriations contained
22 in this act shall be in compliance with the stated reasons for which this act
23 was adopted, as evidenced by the Agency Requests, Executive Recommendations
24 and Legislative Recommendations contained in the budget manuals prepared by
25 the Department of Finance and Administration, letters, or summarized oral
26 testimony in the official minutes of the Arkansas Legislative Council or
27 Joint Budget Committee which relate to its passage and adoption.

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29 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
30 Assembly, that the Constitution of the State of Arkansas prohibits the
31 appropriation of funds for more than a two (2) year period; that the
32 effectiveness of this Act on July 1, 2005 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the Regular Session, the delay in the effective
35 date of this Act beyond July 1, 2005 could work irreparable harm upon the
36 proper administration and provision of essential governmental programs.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after July 1, 2005.

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7 APPROVED: 2/17/2005
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