

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  
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

15  
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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Maximum Annual



Item	Class	Maximum	Salary Rate
No.	Code Title	No. of	Fiscal Years
		Employees	2005-2006 2006-2007
(1)	7133 BD OF DENTAL EXAM EXEC DIRECTOR	1	\$60,575 \$62,275
(2)	8707 DENTAL BD INVESTIGATOR	1	\$46,099 \$47,481
(3)	7139 BD OF DENTAL ADMIN ASST II	1	\$28,292 \$29,140
(4)	9310 BD OF DENTAL ACCOUNTING SPECIALIST	1	\$28,031 \$28,871
(5)	7134 BD OF DENTAL ADMIN ASST I	<u>1</u>	\$28,026 \$28,866
	MAX. NO. OF EMPLOYEES	5	

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

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ITEM	FISCAL YEARS
NO.	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>

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32 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
 34 BALANCES. DENTAL EXAMINERS CASH - CASH FUNDS AS DEFINED BY ARKANSAS CODE 19-  
 35 4-801. (A) For all appropriations as provided in this Act, the agency  
 36 disbursing officer shall monitor the level of fund balances in relation to

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

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

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

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

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

- 35 (1) The Attorney General determines, and certifies in writing, that such  
 36 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 5. 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 6. 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 7. 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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