

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 44 OF 1995
SENATE BILL 24

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE ARKANSAS BURIAL ASSOCIATION
10 BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND
11 FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE ARKANSAS BURIAL
15 ASSOCIATION BOARD APPROPRIATION FOR THE
16 1995-97 BIENNIUM."

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

20 SECTION 1. REGULAR SALARIES. There is hereby established for the
21 Arkansas Burial Association Board for the 1995-97 biennium, the following
22 maximum number of regular employees whose salaries shall be governed by the
23 provisions of the Uniform Classification and Compensation Act (Arkansas Code
24 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
25 Provided, however, that any position to which a specific maximum annual salary
26 is set out herein in dollars, shall be exempt from the provisions of said
27 Uniform Classification and Compensation Act. All persons occupying positions
28 authorized herein are hereby governed by the provisions of the Regular
29 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
30 successor.

| Item | Class | | Maximum | Maximum Annual |
|----------------|-----------------|------------------------------------|-----------|---------------------------------------|
| | | | No. of | Salary Rate |
| | | | Employees | Fiscal Years |
| No. | Code | Title | | 1995-96 1996-97 |
| 36 | (1) | 7124 BURIAL BD EXECUTIVE SECRETARY | 1 | \$ 33,458 \$ 34,294 |

| | | | | |
|---|------------------------------|----------|-----------|-----------|
| 1 | (2) 7125 BURIAL BD AUDITOR | 1 | \$ 30,768 | \$ 31,537 |
| 2 | (3) 7126 BURIAL BD SECRETARY | <u>1</u> | \$ 21,233 | \$ 21,763 |
| 3 | MAX NO. OF EMPLOYEES | 3 | | |

4

5 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the

6 Arkansas Burial Association Board, to be payable from cash funds as defined by

7 Arkansas Code 19-4-801 of the Arkansas Burial Association Board, for personal

8 services and operating expenses of the Arkansas Burial Association Board for

9 the biennial period ending June 30, 1997, the following:

10

| 11 | ITEM | FISCAL YEARS | |
|----|------------------------------|--------------------|--------------------|
| 12 | NO. | 1995-96 | 1996-97 |
| 13 | (01) REGULAR SALARIES | \$ 83,376 | \$ 83,376 |
| 14 | (02) PERSONAL SERV MATCHING | 27,273 | 27,273 |
| 15 | (03) MAINT. & GEN. OPERATION | | |
| 16 | (A) OPER. EXPENSE | \$ 27,036 | \$ 27,036 |
| 17 | (B) CONF. & TRVL. | 0 | 0 |
| 18 | (C) PROF. FEES | 0 | 0 |
| 19 | (D) CAP. OUTLAY | 0 | 0 |
| 20 | (E) DATA PROC. | <u>0</u> | <u>0</u> |
| 21 | TOTAL MAINT. & GEN. OPER. | <u>27,036</u> | <u>27,036</u> |
| 22 | TOTAL AMOUNT APPROPRIATED | <u>\$ 137,685</u> | <u>\$ 137,685</u> |

23

24 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in

25 this Act for Maintenance and General Operation shall be expended in payment

26 for services of attorneys, unless the agency shall first make a request in

27 writing to the Attorney General of the State of Arkansas to provide the

28 required legal services. The Attorney General's Office shall provide the

29 requested legal services, or, if the Attorney General's Office shall determine

30 that sufficient personnel are not available to provide the requested legal

31 services, the Attorney General shall certify the same to the agency and may

32 authorize the agency to employ legal counsel and to expend monies appropriated

33 for Maintenance and General Operations therefor, if:

- 34 (1) The Attorney General determines, and certifies in writing, that
- 35 such 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
4 the 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.

8

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 Purchasing 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 control
15 laws of this State, where applicable, and regulations promulgated by the
16 Department of Finance and Administration, as authorized by law, shall be
17 strictly complied with in disbursement of said funds.

18

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 which
22 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.

27

28 SECTION 6. CODE. All provisions of this Act of a general and permanent
29 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
30 Code Revision Commission shall incorporate the same in the Code.

31

32 SECTION 7. SEVERABILITY. If any provision of this Act or the
33 application thereof to any person or circumstance is held invalid, such
34 invalidity shall not affect other provisions or applications of the Act which
35 can be given effect without the invalid provision or application, and to this

1 end the provisions of this Act are declared to be severable.

2

3 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
4 with this Act are hereby repealed.

5

6 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
7 Eightieth General Assembly, that the Constitution of the State of Arkansas
8 prohibits the appropriation of funds for more than a two (2) year period; that
9 the effectiveness of this Act on July 1, 1995 is essential to the operation of
10 the agency for which the appropriations in this Act are provided, and that in
11 the event of an extension of the Regular Session, the delay in the effective
12 date of this Act beyond July 1, 1995 could work irreparable harm upon the
13 proper administration and provision of essential governmental programs.
14 Therefore, an emergency is hereby declared to exist and this Act being
15 necessary for the immediate preservation of the public peace, health and
16 safety shall be in full force and effect from and after July 1, 1995.

17

18

APPROVED: 1/26/95

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

1

2