

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

# A Bill

**SENATE BILL**

## 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, 1993; AND  
11 FOR 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  
16 Arkansas Burial Association Board for the 1991-93 biennium, the following  
17 maximum number of regular employees whose salaries shall be governed by the  
18 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
19 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
20 Provided, however, that any position to which a specific maximum annual salary  
21 is set out herein in dollars, shall be exempt from the provisions of said  
22 Uniform 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.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1991-92	1992-93
31	(1) 7124	BURIAL BD EXECUTIVE SECRETARY	1	\$ 28,167	\$ 29,575
32	(2) 7125	BURIAL BD AUDITOR	1	\$ 25,904	\$ 27,199
33	(3) 7126	BURIAL BD SECRETARY	<u>1</u>	\$ 17,878	\$ 18,771
34		MAX NO. OF EMPLOYEES	3		

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

7 <u>ITEM</u>	<u>FISCAL YEARS</u>	
8 NO.	1991-92	1992-93
9 (01) REGULAR SALARIES	\$ 71,949	\$ 75,545
10 (02) PERSONAL SERV MATCHING	20,926	22,103
11 (03) MAINT. & GEN. OPERATION		
12 (A) OPER. EXPENSES \$ 29,111	\$ 29,111	
13 (B) CONF. & TRAVEL 0	0	
14 (C) PROF. FEES 0	0	
15 (D) CAPITAL OUTLAY 0	0	
16 (E) DATA PROCESSING 0	0	
17 TOTAL MAINT. & GEN. OPER.	<u>29,111</u>	<u>29,111</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$ 121,986</u>	<u>\$ 126,759</u>

19

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

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

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

34 Such certification shall be required with respect to each instance of  
35 the employment of special legal counsel, or shall be required annually with

1 respect to legal counsel employed on a retainer basis. A copy of such  
2 certification shall be entered in the official minutes of the agency, and  
3 shall be retained in the fiscal records of the agency for audit purposes.

4

5 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
6 authorized by this Act shall be limited to the appropriation for such agency  
7 and funds made available by law for the support of such appropriations; and  
8 the restrictions of the State Purchasing Law, the General Accounting and  
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
10 Procedures and Restrictions Act, or their successors, and other fiscal control  
11 laws of this State, where applicable, and regulations promulgated by the  
12 Department of Finance and Administration, as authorized by law, shall be  
13 strictly complied with in disbursement of said funds.

14

15 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General  
16 Assembly that any funds disbursed under the authority of the appropriations  
17 contained in this Act shall be in compliance with the stated reasons for which  
18 this Act was adopted, as evidenced by the Agency Requests, Executive  
19 Recommendations and Legislative Recommendations contained in the budget  
20 manuals prepared by the Department of Finance and Administration, letters, or  
21 summarized oral testimony in the official minutes of the Arkansas Legislative  
22 Council or Joint Budget Committee which relate to its passage and adoption.

23

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

27

28 SECTION 7. SEVERABILITY. If any provision of this Act or the  
29 application thereof to any person or circumstance is held invalid, such  
30 invalidity shall not affect other provisions or applications of the Act which  
31 can be given effect without the invalid provision or application, and to this  
32 end the provisions of this Act are declared to be severable.

33

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

SECTION 9. HEALTH PREMIUMS. The Arkansas Burial Association Board shall not, during the 1992-93 fiscal year, spend more for health insurance per employee than the amount being contributed to the State Employees Health Insurance Program.

SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1991 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1991 could work irreparable harm upon the proper administration and provision of essential governmental 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, 1991.

- 1
- 2
- 3