

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

A Bill

SENATE BILL 111

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE STATE BOARD OF
10 EMBALMERS AND FUNERAL DIRECTORS FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2017; AND FOR OTHER PURPOSES.
12
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Subtitle

14 AN ACT FOR THE STATE BOARD OF EMBALMERS
15 AND FUNERAL DIRECTORS APPROPRIATION FOR
16 THE 2016-2017 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
23 for the State Board of Embalmers and Funeral Directors for the 2016-2017
24 fiscal year, the following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
30	(1) X088C	EMBALMERS & FUNERAL DIR INVESTIGATOR	1	GRADE C118
31	(2) X126C	EMBALMERS & FUNERAL DIR INSPECTOR	1	GRADE C116
32	(3) A098C	FISCAL SUPPORT SPECIALIST	<u>1</u>	GRADE C112
33		MAX. NO. OF EMPLOYEES	3	

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35 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
36 to the State Board of Embalmers and Funeral Directors, to be payable from the



1 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 2 Officer of the State, for personal services and operating expenses of the
 3 State Board of Embalmers and Funeral Directors for the fiscal year ending
 4 June 30, 2017, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2016-2017</u>
8 (01) REGULAR SALARIES	\$99,765
9 (02) PERSONAL SERVICES MATCHING	36,722
10 (03) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	66,310
12 (B) CONF. & TRAVEL	5,464
13 (C) PROF. FEES	2,950
14 (D) CAP. OUTLAY	20,000
15 (E) DATA PROC.	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$231,211</u></u>

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 18 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PERSONAL
 20 SERVICES. The Burial Association Board Executive Secretary and the Burial
 21 Association Board Administrative Specialist III shall also be responsible for
 22 the administrative activities of the State Board of Embalmers and Funeral
 23 Directors. The State Board of Embalmers and Funeral Directors shall pay to
 24 the Burial Association Board an amount equal to one-half (1/2) of the salary
 25 of the Burial Association Board Executive Secretary, up to one-half (1/2) of
 26 the salary of the Burial Association Board Administrative Specialist III, and
 27 the appropriate matching. This sum shall be paid during the first quarter of
 28 each fiscal year via fund transfer.

29 The provisions of this section shall be in effect only from July 1, ~~2015~~
 30 2016 through June 30, ~~2016~~ 2017.

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 32 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 33 this Act for Maintenance and General Operation shall be expended in payment
 34 for services of attorneys, unless the agency shall first make a request in
 35 writing to the Attorney General of the State of Arkansas to provide the
 36 required legal services. The Attorney General's Office shall provide the

1 requested legal services, or, if the Attorney General's Office shall
2 determine that sufficient personnel are not available to provide the
3 requested legal services, the Attorney General shall certify the same to the
4 agency and may authorize the agency to employ legal counsel and to expend
5 monies appropriated for Maintenance and General Operations therefor, if:

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

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

10 Such certification shall be required with respect to each instance of
11 the employment of special legal counsel, or shall be required annually with
12 respect to legal counsel employed on a retainer basis. A copy of such
13 certification shall be entered in the official minutes of the agency, and
14 shall be retained in the fiscal records of the agency for audit purposes.
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16 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
17 authorized by this act shall be limited to the appropriation for such agency
18 and funds made available by law for the support of such appropriations; and
19 the restrictions of the State Procurement Law, the General Accounting and
20 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
21 Procedures and Restrictions Act, or their successors, and other fiscal
22 control laws of this State, where applicable, and regulations promulgated by
23 the Department of Finance and Administration, as authorized by law, shall be
24 strictly complied with in disbursement of said funds.
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26 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
27 Assembly that any funds disbursed under the authority of the appropriations
28 contained in this act shall be in compliance with the stated reasons for
29 which this act was adopted, as evidenced by the Agency Requests, Executive
30 Recommendations and Legislative Recommendations contained in the budget
31 manuals prepared by the Department of Finance and Administration, letters, or
32 summarized oral testimony in the official minutes of the Arkansas Legislative
33 Council or Joint Budget Committee which relate to its passage and adoption.
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35 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
36 Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a one (1) year period; that the
2 effectiveness of this Act on July 1, 2016 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the legislative session, the delay in the
5 effective date of this Act beyond July 1, 2016 could work irreparable harm
6 upon the proper administration and provision of essential governmental
7 programs. Therefore, an emergency is hereby declared to exist and this Act
8 being necessary for the immediate preservation of the public peace, health
9 and safety shall be in full force and effect from and after July 1, 2016.

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