

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 14 of the Regular Session

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

A Bill

SENATE BILL 33

5 By: Joint Budget Committee
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE BURIAL
11 ASSOCIATION BOARD FOR THE BIENNIAL PERIOD ENDING
12 JUNE 30, 2007; AND FOR OTHER PURPOSES.
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Subtitle

15 AN ACT FOR THE BURIAL ASSOCIATION BOARD
16 APPROPRIATION FOR THE 2005-2007
17 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the Burial
24 Association Board for the 2005-2007 biennium, the following maximum number of
25 regular employees whose salaries shall be governed by the provisions of the
26 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,
28 that any position to which a specific maximum annual salary is set out herein
29 in dollars, shall be exempt from the provisions of said Uniform
30 Classification and Compensation Act. All persons occupying positions
31 authorized herein are hereby governed by the provisions of the Regular
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
33 successor.
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Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years 2005-2006	Salary Rate Fiscal Years 2006-2007	
1	(1)	7124	BURIAL BD EXECUTIVE SECRETARY	1	\$63,774	\$65,535
2	(2)	7125	BURIAL BD AUDITOR	1	\$42,284	\$43,552
3	(3)	7126	BURIAL BD SECRETARY	<u>1</u>	\$32,886	\$33,872
4	MAX. NO. OF EMPLOYEES			3		

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

ITEM NO.		FISCAL YEARS	
		2005-2006	2006-2007
(01)	REGULAR SALARIES	\$ 138,944	\$ 142,959
(02)	PERSONAL SERVICES MATCHING	37,642	38,396
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	27,432	27,432
(B)	CONF. & TRAVEL	0	0
(C)	PROF. FEES	1,500	1,500
(D)	CAP. OUTLAY	0	0
(E)	DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED		<u>\$ 205,518</u>	<u>\$ 210,287</u>

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

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

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

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

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

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

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 30 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
 31 Assembly, that the Constitution of the State of Arkansas prohibits the
 32 appropriation of funds for more than a two (2) year period; that the
 33 effectiveness of this Act on July 1, 2005 is essential to the operation of
 34 the agency for which the appropriations in this Act are provided, and that in
 35 the event of an extension of the Regular Session, the delay in the effective
 36 date of this Act beyond July 1, 2005 could work irreparable harm upon the

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

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7 APPROVED: 1/25/2005
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