

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

Act 133 of 1999
SENATE BILL 116

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE ARKANSAS BURIAL
11 ASSOCIATION BOARD FOR THE BIENNIAL PERIOD ENDING JUNE
12 30, 2001; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE ARKANSAS BURIAL
15 ASSOCIATION BOARD APPROPRIATION FOR THE
16 1999-2001 BIENNIUM."
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
23 Burial Association Board for the 1999-2001 biennium, the following maximum
24 number of regular employees whose salaries shall be governed by the provisions
25 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201
26 et seq.), or its successor, and all laws amendatory thereto. Provided,
27 however, that any position to which a specific maximum annual salary is set
28 out herein in dollars, shall be exempt from the provisions of said Uniform
29 Classification and Compensation Act. All persons occupying positions
30 authorized herein are hereby governed by the provisions of the Regular
31 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
32 successor.
33

| | | Maximum Annual |
|------------|---------|----------------|
| | Maximum | Salary Rate |
| Item Class | No. of | Fiscal Years |
| 34 | | |
| 35 | | |
| 36 | | |

JAD026

| No. | Code | Title | Employees | 1999-2000 | 2000-2001 |
|-----|------|-------------------------------|-----------|-----------|-----------|
| (1) | 7124 | BURIAL BD EXECUTIVE SECRETARY | 1 | \$54,500 | \$56,026 |
| (2) | 7125 | BURIAL BD AUDITOR | 1 | \$35,969 | \$36,976 |
| (3) | 7126 | BURIAL BD SECRETARY | 1 | \$27,975 | \$28,758 |
| | | MAX. NO. OF EMPLOYEES | 3 | | |

SECTION 2. APPROPRIATIONS - CASH. There is hereby appropriated, to the Arkansas Burial Association Board, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas Burial Association Board, for personal services and operating expenses of the Arkansas Burial Association Board for the biennial period ending June 30, 2001, the following:

| ITEM NO. | FISCAL YEARS | |
|------------------------------|-------------------|-------------------|
| | 1999-2000 | 2000-2001 |
| (01) REGULAR SALARIES | \$ 118,444 | \$ 121,760 |
| (02) PERSONAL SERV MATCHING | 30,660 | 31,250 |
| (03) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | 26,932 | 27,432 |
| (B) CONF. & TRAVEL | 0 | 0 |
| (C) PROF. FEES | 1,500 | 1,500 |
| (D) CAP. OUTLAY | 0 | 0 |
| (E) DATA PROC. | 0 | 0 |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 177,536</u> | <u>\$ 181,942</u> |

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INVESTMENT OPTIONS. The agency, board or commission, to which appropriation in this Act is made, shall consider all possible options available in investing cash fund balances for which it is responsible. Such options investigated shall specifically include the provisions of the Treasury Management Trust Fund option beginning at Arkansas Code 19-3-602. In the event that the Treasury Management Trust Fund option is not selected, the agency, board, or commission shall report to the State Board of Finance the option selected and the additional benefits accruing by selecting a different option.

SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this

1 Act for Maintenance and General Operation shall be expended in payment for
 2 services of attorneys, unless the agency shall first make a request in writing
 3 to the Attorney General of the State of Arkansas to provide the required legal
 4 services. The Attorney General's Office shall provide the requested legal
 5 services, or, if the Attorney General's Office shall determine that sufficient
 6 personnel are not available to provide the requested legal services, the
 7 Attorney General shall certify the same to the agency and may authorize the
 8 agency to employ legal counsel and to expend monies appropriated for
 9 Maintenance and General Operations therefor, if:

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

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

14 Such certification shall be required with respect to each instance of the
 15 employment of special legal counsel, or shall be required annually with
 16 respect to legal counsel employed on a retainer basis. A copy of such
 17 certification shall be entered in the official minutes of the agency, and
 18 shall be retained in the fiscal records of the agency for audit purposes.
 19

20 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
 21 this act shall be limited to the appropriation for such agency and funds made
 22 available by law for the support of such appropriations; and the restrictions
 23 of the State Purchasing Law, the General Accounting and Budgetary Procedures
 24 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
 25 Restrictions Act, or their successors, and other fiscal control laws of this
 26 State, where applicable, and regulations promulgated by the Department of
 27 Finance and Administration, as authorized by law, shall be strictly complied
 28 with in disbursement of said funds.
 29

30 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
 31 that any funds disbursed under the authority of the appropriations contained
 32 in this act shall be in compliance with the stated reasons for which this act
 33 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 34 and Legislative Recommendations contained in the budget manuals prepared by
 35 the Department of Finance and Administration, letters, or summarized oral
 36 testimony in the official minutes of the Arkansas Legislative Council or Joint

1 Budget Committee which relate to its passage and adoption.

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3 SECTION 7. CODE. All provisions of this Act of a general and permanent
4 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
5 Code Revision Commission shall incorporate the same in the Code.

6
7 SECTION 8. SEVERABILITY. If any provision of this act or the application
8 thereof to any person or circumstance is held invalid, such invalidity shall
9 not affect other provisions or applications of the act which can be given
10 effect without the invalid provision or application, and to this end the
11 provisions of this act are declared to be severable.

12
13 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict with
14 this act are hereby repealed.

15
16 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
17 Eighty-second General Assembly, that the Constitution of the State of Arkansas
18 prohibits the appropriation of funds for more than a two (2) year period; that
19 the effectiveness of this Act on July 1, 1999 is essential to the operation of
20 the agency for which the appropriations in this Act are provided, and that in
21 the event of an extension of the Regular Session, the delay in the effective
22 date of this Act beyond July 1, 1999 could work irreparable harm upon the
23 proper administration and provision of essential governmental programs.
24 Therefore, an emergency is hereby declared to exist and this Act being
25 necessary for the immediate preservation of the public peace, health and
26 safety shall be in full force and effect from and after July 1, 1999.

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29 APPROVED: 2/17/1999