

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.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 31 of 2003
SENATE BILL 65

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE STATE
11 BOARD OF EMBALMERS AND FUNERAL DIRECTORS FOR THE
12 BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE STATE BOARD OF EMBALMERS
17 AND FUNERAL DIRECTORS APPROPRIATION FOR
18 THE 2003-2005 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
25 the State Board of Embalmers and Funeral Directors for the 2003-2005
26 biennium, the following maximum number of regular employees whose salaries
27 shall be governed by the provisions of the Uniform Classification and
28 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
29 all laws amendatory thereto. Provided, however, that any position to which a
30 specific maximum annual salary is set out herein in dollars, shall be exempt
31 from the provisions of said Uniform Classification and Compensation Act. All
32 persons occupying positions authorized herein are hereby governed by the
33 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
34 Code §21-5-101), or its successor.
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36

Maximum Annual



01172003KCS1339.KCS010

Item	Class	Maximum	Salary Rate		
No.	Code	Title	No. of	Fiscal Years	
			Employees	2003-2004	2004-2005
(1)	7219	E & F BD INSPECTOR	1	\$40,806	\$41,908
(2)	7212	BD OF EMBALM & FUNERAL DIR INVEST	1	\$26,690	\$27,410
(3)	7221	E & F BD BOOKKEEPER I	<u>1</u>	\$5,118	\$5,688
		MAX. NO. OF EMPLOYEES	3		

SECTION 2. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to the State Board of Embalmers and Funeral Directors, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the State Board of Embalmers and Funeral Directors, for personal services and operating expenses of the State Board of Embalmers and Funeral Directors for the biennial period ending June 30, 2005, the following:

ITEM	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 72,166	\$ 74,115
(02) PERSONAL SERV MATCH	22,861	23,206
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	66,635	69,135
(B) CONF. & TRAVEL	4,764	4,764
(C) PROF. FEES	1,155	1,155
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>1,500</u>	<u>1,500</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 169,081</u>	<u>\$ 173,875</u>

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PERSONAL SERVICES. The Executive Director of the Burial Board shall also be responsible for the administrative activities of the State Board of Embalmers and Funeral Directors. The State Board of Embalmers and Funeral Directors shall pay to the Burial Board an amount equal to one-half (1/2) of the salary of the Executive Secretary of the Burial Board, \$3,000 toward the salary of the Burial Board Secretary, and the appropriate matching. This sum shall be paid during the first quarter of each fiscal year via fund transfer.

1 The provisions of this section shall be in effect only from July 1, 2003
2 through June 30, 2005.

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4 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
5 this Act for Maintenance and General Operation shall be expended in payment
6 for services of attorneys, unless the agency shall first make a request in
7 writing to the Attorney General of the State of Arkansas to provide the
8 required legal services. The Attorney General's Office shall provide the
9 requested legal services, or, if the Attorney General's Office shall
10 determine that sufficient personnel are not available to provide the
11 requested legal services, the Attorney General shall certify the same to the
12 agency and may authorize the agency to employ legal counsel and to expend
13 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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

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34 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
35 that any funds disbursed under the authority of the appropriations contained
36 in this act shall be in compliance with the stated reasons for which this act

1 was adopted, as evidenced by the Agency Requests, Executive Recommendations
2 and Legislative Recommendations contained in the budget manuals prepared by
3 the Department of Finance and Administration, letters, or summarized oral
4 testimony in the official minutes of the Arkansas Legislative Council or
5 Joint Budget Committee which relate to its passage and adoption.

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7 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
8 Assembly, that the Constitution of the State of Arkansas prohibits the
9 appropriation of funds for more than a two (2) year period; that the
10 effectiveness of this Act on July 1, 2003 is essential to the operation of
11 the agency for which the appropriations in this Act are provided, and that in
12 the event of an extension of the Regular Session, the delay in the effective
13 date of this Act beyond July 1, 2003 could work irreparable harm upon the
14 proper administration and provision of essential governmental programs.
15 Therefore, an emergency is hereby declared to exist and this Act being
16 necessary for the immediate preservation of the public peace, health and
17 safety shall be in full force and effect from and after July 1, 2003.

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20 APPROVED: 2/3/2003
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