

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010
4

A Bill

SENATE BILL 61

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 FISCAL YEAR ENDING JUNE 30, 2011; AND FOR OTHER
13 PURPOSES.
14

Subtitle

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16 AN ACT FOR THE STATE BOARD OF EMBALMERS
17 AND FUNERAL DIRECTORS APPROPRIATION FOR
18 THE 2010-2011 FISCAL YEAR.
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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 2010-2011 fiscal
26 year, the following maximum number of regular employees whose salaries shall
27 be governed by the provisions of the Uniform Classification and Compensation
28 Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws
29 amendatory thereto. Provided, however, that any position to which a specific
30 maximum annual salary is set out herein in dollars, shall be exempt from the
31 provisions of said Uniform Classification and Compensation Act. All persons
32 occupying positions authorized herein are hereby governed by the provisions
33 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
34 101), or its successor.
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Maximum Annual



Item	Class	Maximum	Salary Rate
No.	Code Title	No. of Employees	Fiscal Year 2010-2011
(1)	X088C EMBALMERS & FUNERAL DIR INVESTIGATO	1	GRADE C118
(2)	X126C EMBALMERS & FUNERAL DIR INSPECTOR	1	GRADE C116
(3)	A098C FISCAL SUPPORT SPECIALIST	<u>1</u>	GRADE C112
	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 fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
NO.	2010-2011
(01) REGULAR SALARIES	\$ 94,595
(02) PERSONAL SERVICES MATCHING	32,588
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	68,840
(B) CONF. & TRAVEL	4,764
(C) PROF. FEES	2,950
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	\$ <u>203,737</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 Burial Association Board Executive Secretary and the Burial Association Board Administrative Specialist III 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 Association Board an amount equal to one-half (1/2) of the salary of the Burial Association Board Executive Secretary, up to one-half (1/2) of the salary of the Burial Association Board Administrative Specialist III, and

1 the appropriate matching. This sum shall be paid during the first quarter of
 2 each fiscal year via fund transfer.

3 The provisions of this section shall be in effect only from July 1, ~~2007~~
 4 2010 through June 30, ~~2009~~ 2011.

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

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

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

20 Such certification shall be required with respect to each instance of the
 21 employment of special legal counsel, or shall be required annually with
 22 respect to legal counsel employed on a retainer basis. A copy of such
 23 certification shall be entered in the official minutes of the agency, and
 24 shall be retained in the fiscal records of the agency for audit purposes.
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26 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 27 by this act shall be limited to the appropriation for such agency and funds
 28 made available by law for the support of such appropriations; and the
 29 restrictions of the State Procurement Law, the General Accounting and
 30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 31 Procedures and Restrictions Act, or their successors, and other fiscal
 32 control laws of this State, where applicable, and regulations promulgated by
 33 the Department of Finance and Administration, as authorized by law, shall be
 34 strictly complied with in disbursement of said funds.
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36 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly

1 that any funds disbursed under the authority of the appropriations contained
2 in this act shall be in compliance with the stated reasons for which this act
3 was adopted, as evidenced by the Agency Requests, Executive Recommendations
4 and Legislative Recommendations contained in the budget manuals prepared by
5 the Department of Finance and Administration, letters, or summarized oral
6 testimony in the official minutes of the Arkansas Legislative Council or
7 Joint Budget Committee which relate to its passage and adoption.

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9 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
10 Assembly, that the Constitution of the State of Arkansas prohibits the
11 appropriation of funds for more than a one (1) year period; that the
12 effectiveness of this Act on July 1, 2010 is essential to the operation of
13 the agency for which the appropriations in this Act are provided, and that in
14 the event of an extension of the legislative session, the delay in the
15 effective date of this Act beyond July 1, 2010 could work irreparable harm
16 upon the proper administration and provision of essential governmental
17 programs. Therefore, an emergency is hereby declared to exist and this Act
18 being necessary for the immediate preservation of the public peace, health
19 and safety shall be in full force and effect from and after July 1, 2010.

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21 **APPROVED: 02/19/2010**
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