

**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 77 of the Regular Session**

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

SENATE BILL 57

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, 2010; AND FOR OTHER  
13 PURPOSES.  
14

## Subtitle

16 AN ACT FOR THE STATE BOARD OF EMBALMERS  
17 AND FUNERAL DIRECTORS APPROPRIATION FOR  
18 THE 2009-2010 FISCAL YEAR.  
19  
20  
21

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 2009-2010 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.  
35



Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2009-2010
(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, 2010, the following:

ITEM NO.	FISCAL YEAR 2009-2010
(01) REGULAR SALARIES	\$ 93,331
(02) PERSONAL SERVICES MATCHING	32,351
(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>\$ 202,236</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~~ 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 ~~Executive Secretary of~~

1 ~~the Burial Board~~ Burial Association Board Executive Secretary, \$3,000 toward  
 2 up to one-half (1/2) of the salary of the ~~Burial Board Secretary~~ Burial  
 3 Association Board Administrative Specialist III, and the appropriate  
 4 matching. This sum shall be paid during the first quarter of each fiscal  
 5 year via fund transfer.

6 The provisions of this section shall be in effect only from July 1, 2007  
 7 2009 through June 30, ~~2009~~ 2010.

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

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

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

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

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 29 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 30 by this act shall be limited to the appropriation for such agency and funds  
 31 made available by law for the support of such appropriations; and the  
 32 restrictions of the State Procurement Law, the General Accounting and  
 33 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 34 Procedures and Restrictions Act, or their successors, and other fiscal  
 35 control laws of this State, where applicable, and regulations promulgated by  
 36 the Department of Finance and Administration, as authorized by law, shall be

1 strictly complied with in disbursement of said funds.

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

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12 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
13 Assembly, that the Constitution of the State of Arkansas prohibits the  
14 appropriation of funds for more than a one (1) year period; that the  
15 effectiveness of this Act on July 1, 2009 is essential to the operation of  
16 the agency for which the appropriations in this Act are provided, and that in  
17 the event of an extension of the Regular Session, the delay in the effective  
18 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
19 proper administration and provision of essential governmental programs.  
20 Therefore, an emergency is hereby declared to exist and this Act being  
21 necessary for the immediate preservation of the public peace, health and  
22 safety shall be in full force and effect from and after July 1, 2009.

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25 APPROVED: 2/09/2009  
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