

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 24

4 By: Joint Budget Committee

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For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE ARKANSAS BURIAL ASSOCIATION
10 BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND
11 FOR OTHER PURPOSES."

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Subtitle

14 "AN ACT FOR THE ARKANSAS BURIAL
15 ASSOCIATION BOARD APPROPRIATION FOR THE
16 1995-97 BIENNIUM."

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. REGULAR SALARIES. There is hereby established for the
21 Arkansas Burial Association Board for the 1995-97 biennium, the following
22 maximum number of regular employees whose salaries shall be governed by the
23 provisions of the Uniform Classification and Compensation Act (Arkansas Code
24 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
25 Provided, however, that any position to which a specific maximum annual
26 salary is set out herein in dollars, shall be exempt from the provisions of
27 said Uniform Classification and Compensation Act. All persons occupying
28 positions authorized herein are hereby governed by the provisions of the
29 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
30 or its successor.

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Item	Class		Maximum Annual	
			Salary Rate	
		No. of	Fiscal Years	
No.	Code	Title	Employees	1995-96 1996-97

1	(1) 7124 BURIAL BD EXECUTIVE SECRETARY	1	\$ 33,458	\$
2	34,294			
3	(2) 7125 BURIAL BD AUDITOR	1	\$ 30,768	\$
4	31,537			
5	(3) 7126 BURIAL BD SECRETARY	<u>1</u>	\$ 21,233	\$
6	21,763			
7	MAX NO. OF EMPLOYEES	3		

SECTION 2. APPROPRIATIONS. 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, 1997, the following:

15 ITEM	16 FISCAL YEARS	
	1995-96	1996-97
17 (01) REGULAR SALARIES	\$ 83,376	\$
18 83,376		
19 (02) PERSONAL SERV MATCHING	27,273	
20 27,273		
21 (03) MAINT. & GEN. OPERATION		
22 (A) OPER. EXPENSE \$	27,036	\$ 27,036
23 (B) CONF. & TRVL.	0	0
24 (C) PROF. FEES	0	0
25 (D) CAP. OUTLAY	0	0
26 (E) DATA PROC.	<u>0</u>	<u>0</u>
27 TOTAL MAINT. & GEN. OPER.		<u>27,036</u>
28 <u>27,036</u>		
29 TOTAL AMOUNT APPROPRIATED		<u>\$ 137,685</u> \$
30 <u>137,685</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

1 required legal services. The Attorney General's Office shall provide the
2 requested legal services, or, if the Attorney General's Office shall
3 determine that sufficient personnel are not available to provide the
4 requested legal services, the Attorney General shall certify the same to the
5 agency and may authorize the agency to employ legal counsel and to expend
6 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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

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

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1 SECTION 6. CODE. All provisions of this Act of a general and
2 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
3 the Arkansas Code Revision Commission shall incorporate the same in the Code.
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5 SECTION 7. SEVERABILITY. If any provision of this Act or the
6 application thereof to any person or circumstance is held invalid, such
7 invalidity shall not affect other provisions or applications of the Act which
8 can be given effect without the invalid provision or application, and to this
9 end the provisions of this Act are declared to be severable.

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11 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
12 with this Act are hereby repealed.

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14 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
15 Eightieth General Assembly, that the Constitution of the State of Arkansas
16 prohibits the appropriation of funds for more than a two (2) year period;
17 that the effectiveness of this Act on July 1, 1995 is essential to the
18 operation of the agency for which the appropriations in this Act are
19 provided, and that in the event of an extension of the Regular Session, the
20 delay in the effective date of this Act beyond July 1, 1995 could work
21 irreparable harm upon the proper administration and provision of essential
22 governmental programs. Therefore, an emergency is hereby declared to exist
23 and this Act being necessary for the immediate preservation of the public
24 peace, health and safety shall be in full force and effect from and after
25 July 1, 1995.

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