

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

SENATE BILL 61

4
5 By: Joint Budget Committee

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE STATE BOARD OF EMBALMERS &
11 FUNERAL DIRECTORS FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 1999; AND FOR OTHER PURPOSES."

Subtitle

15 "AN ACT FOR THE STATE BOARD OF EMBALMERS
16 & FUNERAL DIRECTORS APPROPRIATION FOR
17 THE 1997-99 BIENNIUM."

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

20
21 SECTION 1. REGULAR SALARIES. There is hereby established for the State
22 Board of Embalmers & Funeral Directors for the 1997-99 biennium, the following
23 maximum number of regular employees whose salaries shall be governed by the
24 provisions of the Uniform Classification and Compensation Act (Arkansas Code
25 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
26 Provided, however, that any position to which a specific maximum annual salary
27 is set out herein in dollars, shall be exempt from the provisions of said
28 Uniform Classification and Compensation Act. All persons occupying positions
29 authorized herein are hereby governed by the provisions of the Regular
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
31 successor.

		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
No.	Code	Title	Employees 1997-98 1998-99

1	(1) 7219 E & F BD INSPECTOR	1	\$ 33,953	\$ 34,903
2	(2) 7212 BD OF EMBALM & FUNERAL DIR INVEST	1	\$ 22,209	\$ 22,830
3	(3) 7221 E & F BD BOOKKEEPER I	<u>1</u>	\$ 3,888	\$ 3,996
4	MAX NO. OF EMPLOYEES	3		

5
6 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State
7 Board of Embalmers & Funeral Directors, to be payable from cash funds as
8 defined by Arkansas Code 19-4-801 of the State Board of Embalmers & Funeral
9 Directors, for personal services and operating expenses of the State Board of
10 Embalmers & Funeral Directors for the biennial period ending June 30, 1999,
11 the following:

13	ITEM	FISCAL YEARS	
14	NO.	1997-98	1998-99
15	(01) REGULAR SALARIES	\$ 60,050	\$ 61,729
16	(02) PERSONAL SERV MATCHING	19,670	19,967
17	(03) MAINT. & GEN. OPERATION		
18	(A) OPER. EXPENSE	61,985	61,985
19	(B) CONF. & TRVL.	4,764	4,764
20	(C) PROF. FEES	1,155	1,155
21	(D) CAP. OUTLAY	0	0
22	(E) DATA PROC.	<u>0</u>	<u>0</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$ 147,624</u>	<u>\$ 149,600</u>

24
25 SECTION 3. SPECIAL LANGUAGE. The Executive Director of the Burial
26 Board shall also be responsible for the administrative activities of the State
27 Board of Embalmers and Funeral Directors.

28
29 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
30 this Act for Maintenance and General Operation shall be expended in payment
31 for services of attorneys, unless the agency shall first make a request in
32 writing to the Attorney General of the State of Arkansas to provide the
33 required legal services. The Attorney General's Office shall provide the
34 requested legal services, or, if the Attorney General's Office shall determine
35 that sufficient personnel are not available to provide the requested legal

1 services, the Attorney General shall certify the same to the agency and may
2 authorize the agency to employ legal counsel and to expend monies appropriated
3 for Maintenance and General Operations therefor, if:

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

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

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

13

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

23

24 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
25 Assembly that any funds disbursed under the authority of the appropriations
26 contained in this Act shall be in compliance with the stated reasons for which
27 this Act was adopted, as evidenced by the Agency Requests, Executive
28 Recommendations and Legislative Recommendations contained in the budget
29 manuals prepared by the Department of Finance and Administration, letters, or
30 summarized oral testimony in the official minutes of the Arkansas Legislative
31 Council or Joint Budget Committee which relate to its passage and adoption.

32

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

1

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

7

8 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
9 with this Act are hereby repealed.

10

11 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
12 Eighty-First General Assembly, that the Constitution of the State of Arkansas
13 prohibits the appropriation of funds for more than a two (2) year period; that
14 the effectiveness of this Act on July 1, 1997 is essential to the operation of
15 the agency for which the appropriations in this Act are provided, and that in
16 the event of an extension of the Regular Session, the delay in the effective
17 date of this Act beyond July 1, 1997 could work irreparable harm upon the
18 proper administration and provision of essential governmental programs.
19 Therefore, an emergency is hereby declared to exist and this Act being
20 necessary for the immediate preservation of the public peace, health and
21 safety shall be in full force and effect from and after July 1, 1997.

22

23

24

25

26

27

28

29

30

31

32

33

34

35

1
2