

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 65

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 ARKANSAS BURIAL ASSOCIATION  
11 BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1999; AND  
12 FOR OTHER PURPOSES."

## Subtitle

15 "AN ACT FOR THE ARKANSAS BURIAL  
16 ASSOCIATION BOARD APPROPRIATION FOR THE  
17 1997-99 BIENNIUM."

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

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21 SECTION 1. REGULAR SALARIES. There is hereby established for the  
22 Arkansas Burial Association Board 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
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees 1997-98 1998-99</del>

1	(1) 7124 BURIAL BD EXECUTIVE SECRETARY	1	\$ 47,427	\$ 48,754
2	(2) 7125 BURIAL BD AUDITOR	1	\$ 33,261	\$ 34,192
3	(3) 7126 BURIAL BD SECRETARY	<u>1</u>	\$ 25,869	\$ 26,593
4	MAX NO. OF EMPLOYEES	3		

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

12	ITEM	FISCAL YEARS	
13	<del>NO.</del>	<del>1997-98</del>	<del>1998-99</del>
14	(01) REGULAR SALARIES	\$ 106,557	\$ 109,539
15	(02) PERSONAL SERV MATCHING	33,202	33,880
16	(03) MAINT. & GEN. OPERATION		
17	(A) OPER. EXPENSE	23,982	23,982
18	(B) CONF. & TRVL.	0	0
19	(C) PROF. FEES	500	500
20	(D) CAP. OUTLAY	0	0
21	(E) DATA PROC.	<u>0</u>	<u>0</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$ 164,241</u>	<u>\$ 167,901</u>

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24 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
25 this Act for Maintenance and General Operation shall be expended in payment  
26 for services of attorneys, unless the agency shall first make a request in  
27 writing to the Attorney General of the State of Arkansas to provide the  
28 required legal services. The Attorney General's Office shall provide the  
29 requested legal services, or, if the Attorney General's Office shall determine  
30 that sufficient personnel are not available to provide the requested legal  
31 services, the Attorney General shall certify the same to the agency and may  
32 authorize the agency to employ legal counsel and to expend monies appropriated  
33 for Maintenance and General Operations therefor, if:

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

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

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

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

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

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28           SECTION 6. CODE. All provisions of this Act of a general and permanent  
29 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
30 Code Revision Commission shall incorporate the same in the Code.

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32           SECTION 7. SEVERABILITY. If any provision of this Act or the  
33 application thereof to any person or circumstance is held invalid, such  
34 invalidity shall not affect other provisions or applications of the Act which  
35 can be given effect without the invalid provision or application, and to this

1 end the provisions of this Act are declared to be severable.

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

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6 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
7 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
8 prohibits the appropriation of funds for more than a two (2) year period; that  
9 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
10 the agency for which the appropriations in this Act are provided, and that in  
11 the event of an extension of the Regular Session, the delay in the effective  
12 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
13 proper administration and provision of essential governmental programs.  
14 Therefore, an emergency is hereby declared to exist and this Act being  
15 necessary for the immediate preservation of the public peace, health and  
16 safety shall be in full force and effect from and after July 1, 1997.

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