

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

SENATE BILL 361

4  
5 By: Joint Budget Committee  
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## For An Act To Be Entitled

8  
9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE STATE BOARD OF  
11 EMBALMERS AND FUNERAL DIRECTORS FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 2001; AND FOR OTHER PURPOSES."

## Subtitle

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15 "AN ACT FOR THE STATE BOARD OF EMBALMERS  
16 AND FUNERAL DIRECTORS APPROPRIATION  
17 FOR THE 1999-2001 BIENNIUM."  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
23 Board of Embalmers and Funeral Directors for the 1999-2001 biennium, the  
24 following maximum number of regular employees whose salaries shall be governed  
25 by the provisions of the Uniform Classification and Compensation Act (Arkansas  
26 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
27 Provided, however, that any position to which a specific maximum annual salary  
28 is set out herein in dollars, shall be exempt from the provisions of said  
29 Uniform Classification and Compensation Act. All persons occupying positions  
30 authorized herein are hereby governed by the provisions of the Regular  
31 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
32 successor.  
33

34			Maximum Annual
35		Maximum	Salary Rate
36	Item Class	No. of	Fiscal Years

\*KCA040\*

No.	Code	Title	Employees	1999-2000	2000-2001
(1)	7219	E & F BD INSPECTOR	1	\$36,718	\$37,746
(2)	7212	BD OF E & F DIRECTORS INVESTIGATOR	1	\$24,017	\$24,689
(3)	7221	E & F BD BOOKKEEPER I	1	\$4,204	\$4,321
		MAX. NO. OF EMPLOYEES	3		

SECTION 2. APPROPRIATIONS. 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 biennial period ending June 30, 2001, the following:

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 64,939	\$ 66,756
(02) PERSONAL SERV MATCHING	21,184	21,506
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	66,835	66,635
(B) CONF. & TRAVEL	4,764	4,764
(C) PROF. FEES	3,355	1,155
(D) CAP. OUTLAY	2,700	0
(E) DATA PROC.	1,500	1,500
TOTAL AMOUNT APPROPRIATED	<u>\$ 165,277</u>	<u>\$ 162,316</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 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 Board an amount equal to one-half (1/2) of the salary of the Executive Secretary of the Burial Board, \$3,000 toward the salary of the Burial Board Secretary, and the appropriate matching. This sum shall be paid during the first quarter of each fiscal year via fund transfer.

SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE

1 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INVESTMENT  
2 OPTIONS. The agency, board or commission, to which appropriation in this Act  
3 is made, shall consider all possible options available in investing cash fund  
4 balances for which it is responsible. Such options investigated shall  
5 specifically include the provisions of the Treasury Management Trust Fund  
6 option beginning at Arkansas Code 19-3-602. In the event that the Treasury  
7 Management Trust Fund option is not selected, the agency, board, or commission  
8 shall report to the State Board of Finance the option selected and the  
9 additional benefits accruing by selecting a different option.

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11 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this  
12 Act for Maintenance and General Operation shall be expended in payment for  
13 services of attorneys, unless the agency shall first make a request in writing  
14 to the Attorney General of the State of Arkansas to provide the required legal  
15 services. The Attorney General's Office shall provide the requested legal  
16 services, or, if the Attorney General's Office shall determine that sufficient  
17 personnel are not available to provide the requested legal services, the  
18 Attorney General shall certify the same to the agency and may authorize the  
19 agency to employ legal counsel and to expend monies appropriated for  
20 Maintenance and General Operations therefor, if:

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

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

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

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31 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
32 this act shall be limited to the appropriation for such agency and funds made  
33 available by law for the support of such appropriations; and the restrictions  
34 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
35 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
36 Restrictions Act, or their successors, and other fiscal control laws of this

1 State, where applicable, and regulations promulgated by the Department of  
 2 Finance and Administration, as authorized by law, shall be strictly complied  
 3 with in disbursement of said funds.

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

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 14 SECTION 8. CODE. All provisions of this Act of a general and permanent  
 15 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
 16 Code Revision Commission shall incorporate the same in the Code.

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 18 SECTION 9. SEVERABILITY. If any provision of this act or the application  
 19 thereof to any person or circumstance is held invalid, such invalidity shall  
 20 not affect other provisions or applications of the act which can be given  
 21 effect without the invalid provision or application, and to this end the  
 22 provisions of this act are declared to be severable.

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 24 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict with  
 25 this act are hereby repealed.

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 27 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the  
 28 Eighty-second General Assembly, that the Constitution of the State of Arkansas  
 29 prohibits the appropriation of funds for more than a two (2) year period; that  
 30 the effectiveness of this Act on July 1, 1999 is essential to the operation of  
 31 the agency for which the appropriations in this Act are provided, and that in  
 32 the event of an extension of the Regular Session, the delay in the effective  
 33 date of this Act beyond July 1, 1999 could work irreparable harm upon the  
 34 proper administration and provision of essential governmental programs.  
 35 Therefore, an emergency is hereby declared to exist and this Act being  
 36 necessary for the immediate preservation of the public peace, health and

1 safety shall be in full force and effect from and after July 1, 1999.

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