

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.

State of Arkansas

As Engrossed: S3/28/01 H4/11/01

83rd General Assembly

A Bill

Regular Session, 2001

SENATE BILL 963

By: Senator Simes

For An Act To Be Entitled

AN ACT TO PROVIDE ASSISTANCE WITH FUNERAL COSTS
FOR NEEDY ARKANSANS; TO CREATE A BOARD OF
DIRECTORS TO STUDY METHODS FOR PROVIDING FUNERAL
ASSISTANCE TO NEEDY ARKANSANS; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT TO PROVIDE ASSISTANCE WITH FUNERAL
COSTS FOR NEEDY ARKANSANS; AND TO CREATE
A BOARD OF DIRECTORS TO STUDY METHODS FOR
PROVIDING FUNERAL ASSISTANCE TO NEEDY
ARKANSANS.

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

SECTION 1. The General Assembly finds:

(1) That funeral costs have increased rapidly during the past decade;

(2) That the state's neediest citizens are most affected by rising
funeral costs;

(3) That unexpected funeral costs coupled with inability to pay those
costs needlessly exacerbates the trauma of losing a loved one;

(4) That even those needy people with funeral insurance policies find
that those policies have fallen behind the pace of rising costs;

(5) That states such as Illinois have developed programs to assist
their neediest citizens with the costs of funerals; and

(6) A state supported funeral benefit fund for the needy should be
implemented in Arkansas.

SECTION 2. (a) There is created the Final Act Board of Directors.

(b) The board shall consist of nine (9) voting members to be appointed as follows:

(1) Three (3) members shall be appointed by the Governor;

(2) Three (3) members shall be appointed by the State Board of Embalmers and Funeral Directors;

(3) Two (2) members shall be appointed by the Speaker of the House of Representatives; and

(4) One (1) member shall be appointed by the President Pro Tempore of the Senate.

(c) The board shall select a chairperson from its membership.

(d) The board shall meet at least once each month.

(e)(1) A majority of the membership of the board shall constitute a quorum.

(2) A majority vote of those members present shall be required for any action of the board.

(f) Vacancies on the board due to death, resignation, removal, or other causes shall be filled in the same manner as the original appointment for the unexpired portion of the term.

(g) Each member shall receive expense reimbursement and stipends in accordance with 25-16-904.

(h) This act expires on October 1, 2003, and at such time the board shall cease to exist.

SECTION 3. The board shall:

(1) Initiate in Crittenden, Cross, St. Francis, Lee, Mississippi, Monroe, and Phillips Counties, a demonstration "Final Act" program of interview surveys to determine:

(A) The number of persons eligible for the final act program in the six (6) demonstration counties;

(B) The number of eligible persons in the six (6) demonstration counties who wish to participate in the final act program;

(C) The projected cost of funeral services for the eligible persons in the six (6) demonstration counties who wish to participate in the program;

1 (2) Assist the State Insurance Department in developing a funeral
2 insurance program for needy Arkansans;

3 (3) Assist the Department of Human Services in linking the
4 demonstration "Final Act" program to existing programs;

5 (4) Conduct a feasibility study to assess the need for final act
6 services; and

7 (5) Prepare quarterly reports on data collected by the board to be
8 presented to the Governor and the Legislative Council.

9
10 SECTION 4. Eligibility for the "Final Act" insurance program shall
11 require that:

12 (1) The person complete an application developed and supplied by the
13 board;

14 (2) The person have an income fifty percent (50%) or less of the
15 federal poverty level, as in effect January 1, 2001.

16
17 SECTION 5. Final Act Benefit Fund.

18 (a) There is established on the books of the Treasurer of State,
19 Auditor of State, and Chief Fiscal Officer of the State a fund to be known as
20 the Final Act Benefit Fund.

21 (b) The fund shall consist of:

22 Funds received by the Final Act Board of Directors and any other
23 moneys as may be provided by the General Assembly, there to be used for the
24 administration and operations of the board.

25
26 SECTION 6. *Arkansas Code 25-16-904 is amended to read as follows:*

27 *25-16-904. Stipend - Authorization for \$75.*

28 *Each of the following state boards may, by a majority vote of the total*
29 *membership of the board cast during its first regularly scheduled meeting of*
30 *each calendar year, authorize payment to its members of a stipend not to*
31 *exceed seventy-five dollars (\$75.00) per meeting attended, and the board*
32 *members shall receive no other compensation, expense reimbursement, or in-*
33 *lieu-of payments except as provided in § 25-16-902:*

34 *(1) Auctioneers Licensing Board;*

35 *(2) Arkansas Economic Development Commission;*

36 *(3) State Commission on Child Support;*

- (4) *Supervisory Board for the Arkansas Crime Information Center;*
(5) *Board of Correction and Community Punishment;*
(6) *State Board of Education;*
(7) *Board of Embalmers and Funeral Directors;*
(8) *State Board of Health;*
(9) *Arkansas Health Policy Council;*
(10) *Parks, Recreation, and Travel Commission;*
(11) *Arkansas State Board of Pharmacy;*
(12) *Arkansas Pollution Control and Ecology Commission;*
(13) *Post Prison Transfer Board;*
(14) *Arkansas Racing Commission;*
(15) *Arkansas Sentencing Commission;*
(16) *State Board of Workforce Education and Career ~~Opportunities~~*
Opportunities;
(17) *Oil and Gas Commission;*
(18) *Professional Bail Bond Company and Professional Bail Bondsman*
Licensing Board;
(19) *Arkansas Soil and Water Conservation Commission; and*
(20) *Red River Commission—;*
(21) *The Board of Trustees for the Arkansas School for the Blind and*
the Arkansas School for the Deaf; and
(22) *The Final Act Board of Directors.*

/s/ Simes