

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 33

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE STATE
10 BOARD OF EMBALMERS AND FUNERAL DIRECTORS FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 AN ACT FOR THE STATE BOARD OF EMBALMERS AND
16 FUNERAL DIRECTORS APPROPRIATION FOR THE
17 2011-2012 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
24 for the State Board of Embalmers and Funeral Directors for the 2011-2012
25 fiscal year, the following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual
				Salary Rate Fiscal Year
				2011-2012
31	(1) X088C	EMBALMERS & FUNERAL DIR INVESTIGATOR	1	GRADE C118
32	(2) X126C	EMBALMERS & FUNERAL DIR INSPECTOR	1	GRADE C116
33	(3) A098C	FISCAL SUPPORT SPECIALIST	<u>1</u>	GRADE C112
34	MAX. NO. OF EMPLOYEES		3	

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36 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,



1 to the State Board of Embalmers and Funeral Directors, to be payable from the
 2 cash fund deposited in the State Treasury as determined by the Chief Fiscal
 3 Officer of the State, for personal services and operating expenses of the
 4 State Board of Embalmers and Funeral Directors for the fiscal year ending
 5 June 30, 2012, the following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2011-2012</u>
9 (01) REGULAR SALARIES	\$96,237
10 (02) PERSONAL SERVICES MATCHING	32,813
11 (03) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	68,840
13 (B) CONF. & TRAVEL	4,764
14 (C) PROF. FEES	2,950
15 (D) CAP. OUTLAY	0
16 (E) DATA PROC.	<u>0</u>
17 TOTAL AMOUNT APPROPRIATED	<u><u>\$205,604</u></u>

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19 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PERSONAL
 21 SERVICES. The Burial Association Board Executive Secretary and the Burial
 22 Association Board Administrative Specialist III shall also be responsible for
 23 the administrative activities of the State Board of Embalmers and Funeral
 24 Directors. The State Board of Embalmers and Funeral Directors shall pay to
 25 the Burial Association Board an amount equal to one-half (1/2) of the salary
 26 of the Burial Association Board Executive Secretary, up to one-half (1/2) of
 27 the salary of the Burial Association Board Administrative Specialist III, and
 28 the appropriate matching. This sum shall be paid during the first quarter of
 29 each fiscal year via fund transfer.

30 The provisions of this section shall be in effect only from July 1,
 31 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

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33 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 34 this Act for Maintenance and General Operation shall be expended in payment
 35 for services of attorneys, unless the agency shall first make a request in
 36 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 5. 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 Procurement 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 6. 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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36 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the
2 appropriation of funds for more than a one (1) year period; that the
3 effectiveness of this Act on July 1, 2011 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the legislative session, the delay in the
6 effective date of this Act beyond July 1, 2011 could work irreparable harm
7 upon the proper administration and provision of essential governmental
8 programs. Therefore, an emergency is hereby declared to exist and this Act
9 being necessary for the immediate preservation of the public peace, health
10 and safety shall be in full force and effect from and after July 1, 2011.

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