

ARKANSAS BURIAL ASSOCIATION BOARD

Enabling Laws

Act 1610 of 2007
Act 91 of 1953
A.C.A. §23-78-101, et seq.

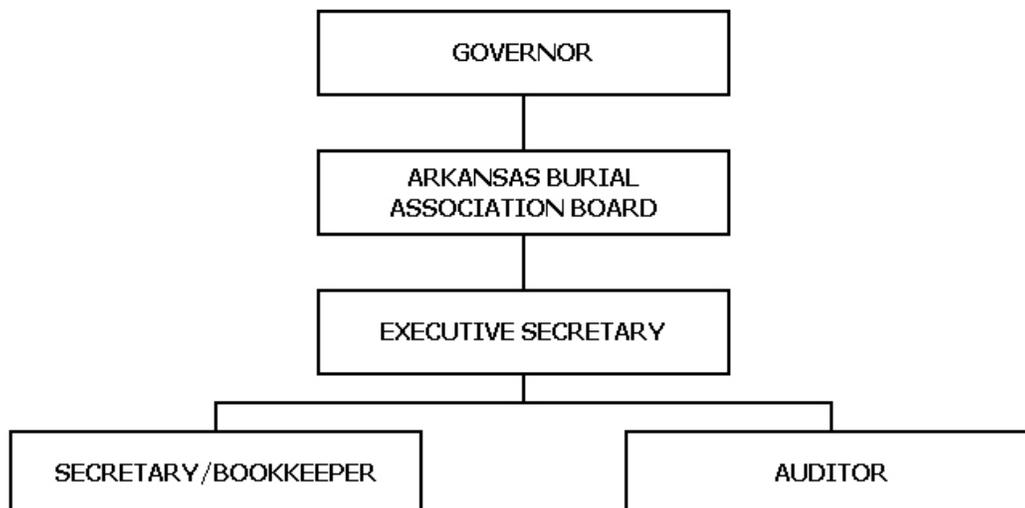
History and Organization

The Burial Board is charged with administering Act 91 of 1953 and its subsequent amendments. The mission of the program is to protect the integrity and solvency of burial association funds held in trust for the policyholders.

The Board's responsibility includes but is not limited to: the issuance of burial certificates of authority to burial associations, to set minimum assessments of membership dues for which burial associations may issue policies in specified amounts, to collect annual fees as provided for, to adopt and enforce such regulations as necessary for the proper operation of the Board and burial associations, to conduct audits of associations to ensure compliance with the applicable statutes, rules and regulations and by laws, and to arbitrate disputes between associations and or members.

The Burial Board is a cash fund agency. The Board is comprised of 9 members, 7 actively engaged in the business of burial associations, 1 consumer member and 1 senior citizen member.

The Board staff consists of the Executive Secretary, who serves in the same capacity for the Arkansas State Board of Embalmers and Funeral Directors (Agency # 0233), the Auditor, who conducts on site audits of the 147 burial associations around the State, and the Administrative Specialist III.



Agency Commentary

The Arkansas Burial Association Board regulates and monitors the operations of 148 burial associations in the State of Arkansas. Audits are conducted on an annual basis to ensure compliance with the laws and rules and regulations governing burial associations.

For the 2009-11 biennium, the Board is requesting \$21,500 for the purchase of a new vehicle to replace the Auditor's current high mileage vehicle. The Board is also requesting a \$1,500 reallocation of resources from Professional Fees to Operating Expenses for FY10 and FY11. This will allow the Board to accurately reflect court reporter and transcription fee expenses.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
ARKANSAS BURIAL ASSOCIATION BOARD

FOR THE YEAR ENDED JUNE 30, 2007

Findings	Recommendations
None	None

Employment Summary

	Male	Female	Total	%
White Employees	1	2	3	100 %
Black Employees	0	0	0	0 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			0	0 %
Total Employees			3	100 %

Cash Fund Balance Description as of June 30, 2008

Fund Account	Balance	Type	Location
3070000	\$90,000	Certificate of Deposit	Capital Bank

Statutory/Other Restrictions on use:

§23-78-101, et. seq.

Statutory Provisions for Fees, Fines, Penalties:

§23-78-101, et.seq. The Board has authority by rules and regulations to set fees, fines and penalties.

Revenue Receipts Cycle:

Interest is accrued and added to account pursuant to terms of contract.

Fund Balance Utilization:

At maturity, funds are moved to account with better rates or allowed to roll over.

Fund Account	Balance	Type	Location
3070000	\$3,747	Certificate of Deposit	Regions Bank

Statutory/Other Restrictions on use:

§23-78-101, et. seq.

Statutory Provisions for Fees, Fines, Penalties:

§23-78-101, et.seq. The Board has authority by rules and regulations to set fees, fines and penalties.

Revenue Receipts Cycle:

Interest is accrued and added to account pursuant to terms of contract.

Fund Balance Utilization:

At maturity, funds are moved to account with better rates or allowed to roll over. This money is held in trust pursuant to a court order and not available for Board operations.

Fund Account	Balance	Type	Location
3070000	\$58,802	Certificate of Deposit	National Bank of Arkansas

Statutory/Other Restrictions on use:

§23-78-101, et. seq.

Statutory Provisions for Fees, Fines, Penalties:

§23-78-101, et.seq. The Board has authority by rules and regulations to set fees, fines and penalties.

Revenue Receipts Cycle:

Interest is accrued and added to account pursuant to terms of contract.

Fund Balance Utilization:

At maturity, funds are moved to account with better rates or allowed to roll over.

Fund Account	Balance	Type	Location
3070000	\$55,073	Checking	Regions Bank

Statutory/Other Restrictions on use:

§23-78-101, et. seq.

Statutory Provisions for Fees, Fines, Penalties:

§23-78-101, et. seq. The Board has the authority by rules and regulations to set fees, fines and penalties.

Revenue Receipts Cycle:

Monies collected throughout the fiscal year are deposited weekly into bank.

Fund Balance Utilization:

Ongoing Board operations.

Fund Account	Balance	Type	Location
3070000	\$122,050	Interest bearing savings.	Regions Bank

Statutory/Other Restrictions on use:

§23-78-101, et. seq.

Statutory Provisions for Fees, Fines, Penalties:

§23-78-101, et. seq. The Board has authority by rules and regulations to set fees, fines and penalties.

Revenue Receipts Cycle:

Monies collected throughout the fiscal year and deposited weekly into bank.

Fund Balance Utilization:

Ongoing Board operations.

Fund Account	Balance	Type	Location
3070000	\$79,232	Certificate of Deposit	Arvest Bank

Statutory/Other Restrictions on use:

§23-78-101, et. seq.

Statutory Provisions for Fees, Fines, Penalties:

§23-78-101, et. seq. The Board has authority by rules and regulations to set fees, fines and penalties.

Revenue Receipts Cycle:

Interest is accrued and added to account pursuant to terms of contract.

Fund Balance Utilization:

At maturity, funds are moved to account with better rates or allowed to roll over. This money is held in trust pursuant to a court order and not available for Board operations.

Publications

A.C.A. 25-1-204

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
None	N/A	N	N	0	N/A

Agency Position Usage Report

FY2006 - 2007						FY2007 - 2008						FY2008 - 2009					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Total	Total	Filled	Unfilled			Total	Total	Filled	Unfilled	
3	3	0	3	0	0.00 %	3	3	0	3	0	0.00 %	3	3	0	3	0	0.00 %

Analysis of Budget Request

Appropriation: A15 - Cash Operations

Funding Sources: 307 - Burial Association Board - Cash

The Arkansas Burial Association Board was created by Act 91 of 1953. The Board is a cash agency funded from the receipt of burial association fees charged pursuant to Arkansas Code Annotated §23-78-111. The Board's responsibilities include the supervision of all burial associations organized or operating in this State.

Base Level positions were changed from unclassified to classified to reflect the recommendations of the Pay Plan Study and salaries were adjusted accordingly. A 2.3% Cost of Living Allowance is reflected in the second year of the biennium. The Base Level request for Regular Salaries may include board member Stipend payments and Career Service payments for eligible employees. Personal Services Matching includes a \$75 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$425.

The Board's Change Level requests total \$21,500 in FY10 and reflect the following:

- Capital Outlay in the amount of \$21,500 for FY10 to purchase, and pay sales tax, on a new vehicle for use by the Auditor.
- Reallocation of \$1,500 from Professional Fees to Operating Expenses for FY10 and FY11 to allow the Board to accurately reflect court reporter and transcription fee expenses.

The Executive Recommendation provides for the Agency request. Expenditure of appropriation is contingent upon available funding.

Appropriation Summary

Appropriation: A15 - Cash Operations
Funding Sources: 307 - Burial Association Board - Cash

Historical Data

Agency Request and Executive Recommendation

Commitment Item	Historical Data			2009-2010			2010-2011		
	2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	156,469	153,231	151,131	157,970	157,970	157,970	161,698	161,698	161,698
#Positions	3	3	3	3	3	3	3	3	3
Personal Services Matching 5010003	35,108	33,323	42,903	44,607	44,607	44,607	45,305	45,305	45,305
Operating Expenses 5020002	24,611	27,432	27,432	27,432	28,932	28,932	27,432	28,932	28,932
Conference & Travel Expenses 5050009	0	0	0	0	0	0	0	0	0
Professional Fees 5060010	0	1,500	1,500	1,500	0	0	1,500	0	0
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	0	0	0	0	21,500	21,500	0	0	0
Total	216,188	215,486	222,966	231,509	253,009	253,009	235,935	235,935	235,935
Funding Sources									
Fund Balance 4000005	427,470	408,904		387,838	387,838	387,838	367,286	345,786	345,786
Cash Fund 4000045	153,023	150,000		148,000	148,000	148,000	146,000	146,000	146,000
Transfer from Embalmers Bd 4000530	44,456	44,420		62,957	62,957	62,957	64,957	64,957	64,957
Total Funding	624,949	603,324		598,795	598,795	598,795	578,243	556,743	556,743
Excess Appropriation/(Funding)	(408,761)	(387,838)		(367,286)	(345,786)	(345,786)	(342,308)	(320,808)	(320,808)
Grand Total	216,188	215,486		231,509	253,009	253,009	235,935	235,935	235,935

The FY08 Actual amount and the FY09 Budgeted amount in Regular Salaries exceeds the Authorized amount due to salary adjustments during the 2007-2009 biennium. Fund balance includes funds held by the Board in trust pursuant to a court order that are not available for Board operations (FY09-\$82,503; FY10-\$84,978; FY11-\$87,453).

Change Level by Appropriation

Appropriation: A15 - Cash Operations
Funding Sources: 307 - Burial Association Board - Cash

Agency Request

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	231,509	3	231,509	100.0	235,935	3	235,935	100.0
C01	Existing Program	21,500	0	253,009	109.3	0	0	235,935	100.0
C04	Reallocation	0	0	253,009	109.3	0	0	235,935	100.0

Executive Recommendation

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	231,509	3	231,509	100.0	235,935	3	235,935	100.0
C01	Existing Program	21,500	0	253,009	109.3	0	0	235,935	100.0
C04	Reallocation	0	0	253,009	109.3	0	0	235,935	100.0

Justification

C01	The Board is requesting \$21,500 in Capital Outlay for FY10 to purchase, and pay sales tax, on a new vehicle for use by the Auditor.
C04	The Board is requesting a \$1,500 increase in Operating Expenses for FY10 and FY11 with a corresponding decrease of \$1,500 in Professional Fees. This will allow the Board to accurately reflect court reporter and transcription fee expenses.