

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Joint Budget Committee**

# A Bill

**SENATE BILL**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES  
9 FOR THE ARKANSAS CEMETERY BOARD FOR THE BIENNIAL PERIOD  
10 ENDING JUNE 30, 1995; AND FOR OTHER PURPOSES."

## Subtitle

13 "AN ACT FOR THE ARKANSAS CEMETERY BOARD APPROPRIATION."

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

17 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the  
18 Arkansas Cemetery Board, to be payable from cash funds as defined by Arkansas  
19 Code 19-4-801 of the Arkansas Cemetery Board, for operating expenses of the  
20 Arkansas Cemetery Board for the biennial period ending June 30, 1995, the  
21 following:

23 ITEM	FISCAL YEARS	
24 NO.	1993-94	1994-95
25 (01) MAINT. & GEN. OPERATION		
26 (A) OPER. EXPENSES \$	6,128 \$	6,128
27 (B) CONF. & TRAVEL	0	0
28 (C) PROF. FEES	5,157	5,157
29 (D) CAPITAL OUTLAY	0	0
30 (E) DATA PROCESSING	0	0
31 TOTAL MAINT. & GEN. OPER.	<u>11,285</u>	<u>11,285</u>
32 TOTAL AMOUNT APPROPRIATED	<u>\$ 11,285</u>	<u>\$ 11,285</u>

33 SECTION 2. 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

1 writing to the Attorney General of the State of Arkansas to provide the  
2 required legal services. The Attorney General's Office shall provide the  
3 requested legal services, or, if the Attorney General's Office shall determine  
4 that sufficient personnel are not available to provide the requested legal  
5 services, the Attorney General shall certify the same to the agency and may  
6 authorize the agency to employ legal counsel and to expend monies appropriated  
7 for Maintenance and General Operations therefor, if:

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

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

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

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18           SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
19 authorized by this Act shall be limited to the appropriation for such agency  
20 and funds made available by law for the support of such appropriations; and  
21 the restrictions of the State Purchasing Law, the General Accounting and  
22 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
23 Procedures and Restrictions Act, or their successors, and other fiscal control  
24 laws of this State, where applicable, and regulations promulgated by the  
25 Department of Finance and Administration, as authorized by law, shall be  
26 strictly complied with in disbursement of said funds.

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28           SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
29 Assembly that any funds disbursed under the authority of the appropriations  
30 contained in this Act shall be in compliance with the stated reasons for which  
31 this Act was adopted, as evidenced by the Agency Requests, Executive  
32 Recommendations and Legislative Recommendations contained in the budget  
33 manuals prepared by the Department of Finance and Administration, letters, or  
34 summarized oral testimony in the official minutes of the Arkansas Legislative  
35 Council or Joint Budget Committee which relate to its passage and adoption.

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SECTION 5. CODE. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 6. SEVERABILITY. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993.

