

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

Act 73 of 1999
HOUSE BILL 1133

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING
10 EXPENSES FOR THE ARKANSAS CEMETERY BOARD FOR THE
11 BIENNIAL PERIOD ENDING JUNE 30, 2001; AND FOR OTHER
12 PURPOSES. "

Subtitle

15 "AN ACT FOR THE ARKANSAS CEMETERY
16 BOARD APPROPRIATION FOR THE 1999-2001
17 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. APPROPRIATIONS. There is hereby appropriated, to the Arkansas
23 Cemetery Board, to be payable from cash funds as defined by Arkansas Code
24 19-4-801 of the Arkansas Cemetery Board, for Operating Expenses of the
25 Arkansas Cemetery Board for the biennial period ending June 30, 2001, the
26 following:
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ITEM	FISCAL YEARS	
NO.	1999-2000	2000-2001
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	9,548	9,548
(B) CONF. & TRAVEL	2,825	2,825
(C) PROF. FEES	2,847	2,847
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(02) LOANS TO COURT APPOINTED RECEIVER		

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1	OR CONSERVATOR	<u>65,000</u>	<u>65,000</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 80,220</u>	<u>\$ 80,220</u>

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4 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE

5 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INVESTMENT

6 OPTIONS. The agency, board or commission, to which appropriation in this Act

7 is made, shall consider all possible options available in investing cash fund

8 balances for which it is responsible. Such options investigated shall

9 specifically include the provisions of the Treasury Management Trust Fund

10 option beginning at Arkansas Code 19-3-602. In the event that the Treasury

11 Management Trust Fund option is not selected, the agency, board, or commission

12 shall report to the State Board of Finance the option selected and the

13 additional benefits accruing by selecting a different option.

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15 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this

16 Act for Maintenance and General Operation shall be expended in payment for

17 services of attorneys, unless the agency shall first make a request in writing

18 to the Attorney General of the State of Arkansas to provide the required legal

19 services. The Attorney General's Office shall provide the requested legal

20 services, or, if the Attorney General's Office shall determine that sufficient

21 personnel are not available to provide the requested legal services, the

22 Attorney General shall certify the same to the agency and may authorize the

23 agency to employ legal counsel and to expend monies appropriated for

24 Maintenance and General Operations therefor, if:

- 25 (1) The Attorney General determines, and certifies in writing, that such
- 26 agency needs the advice or assistance of legal counsel, and
- 27 (2) The Attorney General consents in writing to the employment of the
- 28 legal counsel to be retained by the agency.

29 Such certification shall be required with respect to each instance of the

30 employment of special legal counsel, or shall be required annually with

31 respect to legal counsel employed on a retainer basis. A copy of such

32 certification shall be entered in the official minutes of the agency, and

33 shall be retained in the fiscal records of the agency for audit purposes.

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35 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by

36 this Act shall be limited to the appropriation for such agency and funds made

1 available by law for the support of such appropriations; and the restrictions
 2 of the State Purchasing Law, the General Accounting and Budgetary Procedures
 3 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
 4 Restrictions Act, or their successors, and other fiscal control laws of this
 5 State, where applicable, and regulations promulgated by the Department of
 6 Finance and Administration, as authorized by law, shall be strictly complied
 7 with in disbursement of said funds.

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

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 18 SECTION 6. CODE. All provisions of this Act of a general and permanent
 19 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
 20 Code Revision Commission shall incorporate the same in the Code.

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 22 SECTION 7. SEVERABILITY. If any provision of this Act or the application
 23 thereof to any person or circumstance is held invalid, such invalidity shall
 24 not affect other provisions or applications of the Act which can be given
 25 effect without the invalid provision or application, and to this end the
 26 provisions of this Act are declared to be severable.

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 28 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict with
 29 this Act are hereby repealed.

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 31 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
 32 Eighty-second General Assembly, that the Constitution of the State of Arkansas
 33 prohibits the appropriation of funds for more than a two (2) year period; that
 34 the effectiveness of this Act on July 1, 1999 is essential to the operation of
 35 the agency for which the appropriations in this Act are provided, and that in
 36 the event of an extension of the Regular Session, the delay in the effective

1 date of this Act beyond July 1, 1999 could work irreparable harm upon the
2 proper administration and provision of essential governmental programs.
3 Therefore, an emergency is hereby declared to exist and this Act being
4 necessary for the immediate preservation of the public peace, health and
5 safety shall be in full force and effect from and after July 1, 1999.

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7 APPROVED: 2/16/1999
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