

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

**A Bill ACT 71 OF 1991**  
**SENATE BILL 179**

**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, 1993; AND FOR OTHER PURPOSES."

11

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

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14 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the  
15 Arkansas Cemetery Board, to be payable from cash funds as defined by Arkansas  
16 Code 19-4-801 of the Arkansas Cemetery Board, for operating expenses of the  
17 Arkansas Cemetery Board for the biennial period ending June 30, 1993, the  
18 following:

19

20 ITEM	FISCAL YEARS	
21 <del>NO.</del>	<del>1991-92</del>	<del>1992-93</del>
22 (01) MAINT. & GEN. OPERATION		
23 (A) OPER. EXPENSES \$	6,128	\$ 6,128
24 (B) CONF. & TRAVEL	0	0
25 (C) PROF. FEES	5,157	5,157
26 (D) CAPITAL OUTLAY	0	0
27 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
28 TOTAL MAINT. & GEN. OPER.	<u>11,285</u>	<u>11,285</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$ 11,285</u>	<u>\$ 11,285</u>

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31 SECTION 2. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
32 this Act for Maintenance and General Operation shall be expended in payment  
33 for services of attorneys, unless the agency shall first make a request in  
34 writing to the Attorney General of the State of Arkansas to provide the  
35 required legal services. The Attorney General's Office shall provide the  
36 requested legal services, or, if the Attorney General's Office shall determine

1 that sufficient personnel are not available to provide the requested legal  
2 services, the Attorney General shall certify the same to the agency and may  
3 authorize the agency to employ legal counsel and to expend monies appropriated  
4 for Maintenance and General Operations therefor, if:

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

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

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

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

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

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34       SECTION 5. CODE. All provisions of this Act of a general and permanent  
35 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas

1 Code Revision Commission shall incorporate the same in the Code.

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

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

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12 SECTION 8. HEALTH PREMIUMS. The Arkansas Cemetery Board shall not,  
13 during the 1992-93 fiscal year, spend more for health insurance per employee  
14 than the amount being contributed to the State Employees Health Insurance  
15 Program.

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17 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
18 Seventy-Eighth General Assembly, that the Constitution of the State of  
19 Arkansas prohibits the appropriation of funds for more than a two (2) year  
20 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
21 operation of the agency for which the appropriations in this Act are provided,  
22 and that in the event of an extension of the Regular Session, the delay in the  
23 effective date of this Act beyond July 1, 1991 could work irreparable harm  
24 upon the proper administration and provision of essential governmental  
25 programs. Therefore, an emergency is hereby declared to exist and this Act  
26 being necessary for the immediate preservation of the public peace, health and  
27 safety shall be in full force and effect from and after July 1, 1991.

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APPROVED: 2-7-91

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