

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

A Bill

SENATE BILL 427

5 By: Senator S. Flowers
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
9 CEMETERY BOARD FOR CEMETERY MAINTENANCE AND
10 OPERATIONS; AND FOR OTHER PURPOSES.
11

Subtitle

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13 AN ACT FOR THE ARKANSAS CEMETERY BOARD
14 GENERAL IMPROVEMENT APPROPRIATION.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. APPROPRIATION - CEMETERY MAINTENANCE AND OPERATIONS. There
21 is hereby appropriated, to the Arkansas Cemetery Board, to be payable from
22 the General Improvement Fund or its successor fund or fund accounts, the
23 following:

24 (A) for cemetery maintenance and operation costs for insolvent,
25 licensed perpetual care cemeteries that have been in court ordered
26 receivership or conservatorship for five (5) years or more and acquisition
27 costs of such cemetery not to exceed one thousand dollars plus any necessary
28 cost associated with the purchase or for grants to be made to non-
29 profit/government entity owners of perpetual care cemeteries of historic
30 nature, in a sum not to exceed.....\$25,000.
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32 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

34 Notwithstanding any other rules, regulations or provision of law to the
35 contrary the appropriations authorized in this Act shall not be restricted by
36 requirements that may be applicable to other programs currently administered.



1 New rules and regulations may be adopted to carry out the intent of the
2 General Assembly regarding the appropriations authorized in this Act.

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4 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
5 obligations otherwise incurred in relation to the project or projects
6 described herein in excess of the State Treasury funds actually available
7 therefor as provided by law. Provided, however, that institutions and
8 agencies listed herein shall have the authority to accept and use grants and
9 donations including Federal funds, and to use its unobligated cash income or
10 funds, or both available to it, for the purpose of supplementing the State
11 Treasury funds for financing the entire costs of the project or projects
12 enumerated herein. Provided further, that the appropriations and funds
13 otherwise provided by the General Assembly for Maintenance and General
14 Operations of the agency or institutions receiving appropriation herein shall
15 not be used for any of the purposes as appropriated in this act.

16 (B) The restrictions of any applicable provisions of the State
17 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
18 Revenue Stabilization Law and any other applicable fiscal control laws of
19 this State and regulations promulgated by the Department of Finance and
20 Administration, as authorized by law, shall be strictly complied with in
21 disbursement of any funds provided by this act unless specifically provided
22 otherwise by law.

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

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33 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
34 Assembly, that the Constitution of the State of Arkansas prohibits the
35 appropriation of funds for more than a one (1) year period; that the
36 effectiveness of this Act on July 1, 2011 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the legislative session, the delay in the
3 effective date of this Act beyond July 1, 2011 could work irreparable harm
4 upon the proper administration and provision of essential governmental
5 programs. Therefore, an emergency is hereby declared to exist and this Act
6 being necessary for the immediate preservation of the public peace, health
7 and safety shall be in full force and effect from and after July 1, 2011.

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10 **APPROVED: 03/21/2011**
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