

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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# A Bill

SENATE BILL

31

## 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, 1997; AND FOR OTHER PURPOSES."

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## Subtitle

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"AN ACT FOR THE ARKANSAS CEMETERY BOARD  
APPROPRIATION FOR THE 1995-97 BIENNIUM."

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

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SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the  
Arkansas Cemetery Board, to be payable from cash funds as defined by Arkansas  
Code 19-4-801 of the Arkansas Cemetery Board, for operating expenses of the  
Arkansas Cemetery Board for the biennial period ending June 30, 1997, the  
following:

24 ITEM

FISCAL YEARS

25 NO.

1995-96

1996-97

26 (01) MAINT. & GEN. OPERATION

27 (A) OPER. EXPENSE \$ 8,828 \$ 8,828

28 (B) CONF. & TRVL. 2,825 2,825

29 (C) PROF. FEES 1,847 1,847

30 (D) CAP. OUTLAY 500 500

31 (E) DATA PROC. 0 0

32 TOTAL MAINT. & GEN. OPER. 14,000

33 14,000

34 TOTAL AMOUNT APPROPRIATED \$ 14,000 \$

35 14,000

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2           SECTION 2. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
3 this Act for Maintenance and General Operation shall be expended in payment  
4 for services of attorneys, unless the agency shall first make a request in  
5 writing to the Attorney General of the State of Arkansas to provide the  
6 required legal services. The Attorney General's Office shall provide the  
7 requested legal services, or, if the Attorney General's Office shall  
8 determine that sufficient personnel are not available to provide the  
9 requested legal services, the Attorney General shall certify the same to the  
10 agency and may authorize the agency to employ legal counsel and to expend  
11 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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

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32           SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
33 Assembly that any funds disbursed under the authority of the appropriations  
34 contained in this Act shall be in compliance with the stated reasons for  
35 which this Act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget  
2 manuals prepared by the Department of Finance and Administration, letters, or  
3 summarized oral testimony in the official minutes of the Arkansas Legislative  
4 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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19 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the  
20 Eightieth General Assembly, that the Constitution of the State of Arkansas  
21 prohibits the appropriation of funds for more than a two (2) year period;  
22 that the effectiveness of this Act on July 1, 1995 is essential to the  
23 operation of the agency for which the appropriations in this Act are  
24 provided, and that in the event of an extension of the Regular Session, the  
25 delay in the effective date of this Act beyond July 1, 1995 could work  
26 irreparable harm upon the proper administration and provision of essential  
27 governmental programs. Therefore, an emergency is hereby declared to exist  
28 and this Act being necessary for the immediate preservation of the public  
29 peace, health and safety shall be in full force and effect from and after  
30 July 1, 1995.

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