

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

HOUSE BILL 1071

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
CEMETERY BOARD FOR THE FISCAL YEAR ENDING JUNE
30, 2010; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS CEMETERY BOARD
APPROPRIATION FOR THE 2009-2010 FISCAL
YEAR.

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

SECTION 1. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Arkansas Cemetery Board, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Cemetery Board for the fiscal year ending June 30, 2010, the following:

| ITEM | FISCAL YEAR |
|---------------------------------|------------------|
| <u>NO.</u> | <u>2009-2010</u> |
| (01) REGULAR SALARIES | \$ 2,100 |
| (02) PERSONAL SERVICES MATCHING | 161 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 69,000 |
| (B) CONF. & TRAVEL | 0 |
| (C) PROF. FEES | 0 |



| | | |
|---|---------------------------|------------------|
| 1 | (D) CAP. OUTLAY | 0 |
| 2 | (E) DATA PROC. | 0 |
| 3 | (04) LOANS | <u>20,000</u> |
| 4 | TOTAL AMOUNT APPROPRIATED | <u>\$ 91,261</u> |

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

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

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

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

25

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

35

36 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly

1 that any funds disbursed under the authority of the appropriations contained
2 in this act shall be in compliance with the stated reasons for which this act
3 was adopted, as evidenced by the Agency Requests, Executive Recommendations
4 and Legislative Recommendations contained in the budget manuals prepared by
5 the Department of Finance and Administration, letters, or summarized oral
6 testimony in the official minutes of the Arkansas Legislative Council or
7 Joint Budget Committee which relate to its passage and adoption.

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9 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
10 Assembly, that the Constitution of the State of Arkansas prohibits the
11 appropriation of funds for more than a one (1) year period; that the
12 effectiveness of this Act on July 1, 2009 is essential to the operation of
13 the agency for which the appropriations in this Act are provided, and that in
14 the event of an extension of the Regular Session, the delay in the effective
15 date of this Act beyond July 1, 2009 could work irreparable harm upon the
16 proper administration and provision of essential governmental programs.
17 Therefore, an emergency is hereby declared to exist and this Act being
18 necessary for the immediate preservation of the public peace, health and
19 safety shall be in full force and effect from and after July 1, 2009.