

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 334

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
IMPROVEMENT APPROPRIATIONS FOR THE STATE INSURANCE
DEPARTMENT; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE STATE INSURANCE DEPARTMENT
REAPPROPRIATION.

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

SECTION 1. REAPPROPRIATION - STATE BOARD OF EMBALMERS, FUNERAL
DIRECTORS, CEMETERIES AND BURIAL SERVICES. There is hereby appropriated, to
the State Insurance Department, to be payable from the Development and
Enhancement Fund, for the State Insurance Department the following:

(A) Effective July 1, 2019, the balance of the appropriation provided
in Item (A) of Section 1 of Act 35 of 2018, for cemetery maintenance and
operations costs for insolvent, licensed perpetual care cemeteries that have
been in court ordered receivership or conservatorship for five (5) years or
more and acquisition costs of such cemetery not to exceed one thousand
dollars plus any necessary cost associated with the purchase or for grants to
be made to non-profit/government entity owners of perpetual care cemeteries
of historic nature or grants to be made to non-profit entities for the care
and improvement of perpetual care cemeteries of historic nature, in a sum not
to exceed\$101,000.

SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
obligations otherwise incurred in relation to the project or projects



1 described herein in excess of the State Treasury funds actually available
2 therefor as provided by law. Provided, however, that institutions and
3 agencies listed herein shall have the authority to accept and use grants and
4 donations including Federal funds, and to use its unobligated cash income or
5 funds, or both available to it, for the purpose of supplementing the State
6 Treasury funds for financing the entire costs of the project or projects
7 enumerated herein. Provided further, that the appropriations and funds
8 otherwise provided by the General Assembly for Maintenance and General
9 Operations of the agency or institutions receiving appropriation herein shall
10 not be used for any of the purposes as appropriated in this act.

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

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19 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General
20 Assembly that any funds disbursed under the authority of the appropriations
21 contained in this act shall be in compliance with the stated reasons for
22 which this act was adopted, as evidenced by the Agency Requests, Executive
23 Recommendations and Legislative Recommendations contained in the budget
24 manuals prepared by the Department of Finance and Administration, letters, or
25 summarized oral testimony in the official minutes of the Arkansas Legislative
26 Council or Joint Budget Committee which relate to its passage and adoption.

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28 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
29 Assembly, that the Constitution of the State of Arkansas prohibits the
30 appropriation of funds for more than a one (1) year period; that the
31 effectiveness of this Act on July 1, 2019 is essential to the operation of
32 the agency for which the appropriations in this Act are provided, and that in
33 the event of an extension of the legislative session, the delay in the
34 effective date of this Act beyond July 1, 2019 could work irreparable harm
35 upon the proper administration and provision of essential governmental
36 programs. Therefore, an emergency is hereby declared to exist and this Act

being necessary for the immediate preservation of the public peace, health
and safety shall be in full force and effect from and after July 1, 2019.