

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

HOUSE BILL 1048

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
10 CEMETERY BOARD FOR THE FISCAL YEAR ENDING JUNE
11 30, 2013; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE ARKANSAS CEMETERY BOARD
15 APPROPRIATION FOR THE 2012-2013 FISCAL
16 YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. APPROPRIATION - OPERATIONS. There is hereby appropriated,
23 to the Arkansas Cemetery Board, to be payable from the cash fund deposited in
24 the State Treasury as determined by the Chief Fiscal Officer of the State,
25 for personal services and operating expenses of the Arkansas Cemetery Board
26 for the fiscal year ending June 30, 2013, the following:
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| ITEM | FISCAL YEAR |
|---------------------------------|-------------|
| NO. | 2012-2013 |
| (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 |
| (D) CAP. OUTLAY | 0 |



| | | |
|---|---------------------------|------------------------|
| 1 | (E) DATA PROC. | 0 |
| 2 | (04) LOANS | <u>26,000</u> |
| 3 | TOTAL AMOUNT APPROPRIATED | <u><u>\$97,261</u></u> |

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

- 15 (1) The Attorney General determines, and certifies in writing, that
- 16 such agency needs the advice or assistance of legal counsel, and
- 17 (2) The Attorney General consents in writing to the employment of the
- 18 legal counsel to be retained by the agency.

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

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

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35 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
36 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for
2 which this act was adopted, as evidenced by the Agency Requests, Executive
3 Recommendations and Legislative Recommendations contained in the budget
4 manuals prepared by the Department of Finance and Administration, letters, or
5 summarized oral testimony in the official minutes of the Arkansas Legislative
6 Council or Joint Budget Committee which relate to its passage and adoption.
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8 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
9 Assembly, that the Constitution of the State of Arkansas prohibits the
10 appropriation of funds for more than a one (1) year period; that the
11 effectiveness of this Act on July 1, 2012 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the legislative session, the delay in the
14 effective date of this Act beyond July 1, 2012 could work irreparable harm
15 upon the proper administration and provision of essential governmental
16 programs. Therefore, an emergency is hereby declared to exist and this Act
17 being necessary for the immediate preservation of the public peace, health
18 and safety shall be in full force and effect from and after July 1, 2012.
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