

1 State of Arkansas
2 92nd General Assembly
3 Fiscal Session, 2020
4

A Bill

SENATE BILL 19

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
10 COMMERCE - STATE INSURANCE DEPARTMENT; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMERCE -
15 STATE INSURANCE DEPARTMENT
16 REAPPROPRIATION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REAPPROPRIATION - STATE BOARD OF EMBALMERS, FUNERAL
23 DIRECTORS, CEMETERIES AND BURIAL SERVICES. There is hereby appropriated, to
24 the Department of Commerce - State Insurance Department, to be payable from
25 the Development and Enhancement Fund, for the Department of Commerce - State
26 Insurance Department the following:

27 (A) Effective July 1, 2020, the balance of the appropriation provided
28 in Item (A) of Section 1 of Act 282 of 2019, for cemetery maintenance and
29 operations costs for insolvent, licensed perpetual care cemeteries that have
30 been in court ordered receivership or conservatorship for five (5) years or
31 more and acquisition costs of such cemetery not to exceed one thousand
32 dollars plus any necessary cost associated with the purchase or for grants to
33 be made to non-profit/government entity owners of perpetual care cemeteries
34 of historic nature or grants to be made to non-profit entities for the care
35 and improvement of perpetual care cemeteries of historic nature, in a sum not
36 to exceed\$101,000.



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2 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
3 obligations otherwise incurred in relation to the project or projects
4 described herein in excess of the State Treasury funds actually available
5 therefor as provided by law. Provided, however, that institutions and
6 agencies listed herein shall have the authority to accept and use grants and
7 donations including Federal funds, and to use its unobligated cash income or
8 funds, or both available to it, for the purpose of supplementing the State
9 Treasury funds for financing the entire costs of the project or projects
10 enumerated herein. Provided further, that the appropriations and funds
11 otherwise provided by the General Assembly for Maintenance and General
12 Operations of the agency or institutions receiving appropriation herein shall
13 not be used for any of the purposes as appropriated in this act.

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

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

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31 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General
32 Assembly, that the Constitution of the State of Arkansas prohibits the
33 appropriation of funds for more than a one (1) year period; that the
34 effectiveness of this Act on July 1, 2020 is essential to the operation of
35 the agency for which the appropriations in this Act are provided, and that in
36 the event of an extension of the legislative session, the delay in the

1 effective date of this Act beyond July 1, 2020 could work irreparable harm
2 upon the proper administration and provision of essential governmental
3 programs. Therefore, an emergency is hereby declared to exist and this Act
4 being necessary for the immediate preservation of the public peace, health
5 and safety shall be in full force and effect from and after July 1, 2020.

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8 **APPROVED: 4/20/20**
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