

Act 565 of the 1989 Regular Session.

Act 565

SB523

By: Joint Budget Committee

"AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF ARKANSAS HERITAGE; AND FOR OTHER PURPOSES."

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

SECTION 1. CASH. There is hereby appropriated to the Department of Arkansas Heritage - Commemorative Commission, to be payable from cash funds of the Department of Arkansas Heritage - Commemorative Commission, the following:

(A) Effective June 30, 1989, the balance of the appropriation provided in Item (A) of Section 1 of Act 386 of 1987 for major maintenance, renovation, repair, and exhibit replacement for the Old State House, in a sum not to exceed.....\$ 100,000.

SECTION 2. GENERAL IMPROVEMENT. There is hereby appropriated to the Department of Arkansas Heritage - Commemorative Commission, to be payable from the General Improvement Fund for the Department of Arkansas Heritage - Commemorative Commission, the following:

(A) Effective June 30, 1989, the balance of the appropriation provided in Item (A) of Section 3 of Act 386 of 1987 for major maintenance, renovation, repair and exhibit replacement for the Old State House, in a sum not to exceed\$ 47,000.

(B) Effective July 1, 1989, the balance of the appropriation provided in Item (C) of Section 2 of Act 386 of 1987 for major maintenance, renovation, repair and exhibit replacement, in a sum not to exceed\$ 279,931.

(C) Effective July 1, 1989, the balance of the appropriation provided in Item (A) of Section 1 of Act 421 of 1987 for major maintenance, renovation, site improvements and repairs and Old State House exhibit replacement, in a sum not to exceed.....\$ 300,000.

SECTION 3. There is hereby appropriated to the Department of Arkansas Heritage - Territorial Capitol Restoration, to be payable from the General Improvement Fund or its successor fund or fund accounts for the Department of Arkansas Heritage - Territorial Capitol Restoration, the following:

(A) Effective July 1, 1989, the balance of the appropriation provided in Item (B) of Section 1 of Act 421 of 1987 for major maintenance repairs and renovation, in a sum not to exceed\$ 29,839.

SECTION 4. DELTA CULTURAL CENTER. There is hereby appropriated to the Department of Arkansas Heritage, to be payable from the Department of Arkansas Heritage Fund Account for the Department of Arkansas Heritage, the following:

(A) Effective July 1, 1989, the balance of the appropriation provided in Item (01) of Section 1 of Act 84 of 1989 for construction of the Delta Cultural Center, in a sum not to exceed.....\$ 105,000.

SECTION 5. Any unexpended balance of funds provided by the 77th General Assembly for the Department of Arkansas Heritage - Delta Cultural Center, which remains at the close of the fiscal year ending June 30, 1989, shall be carried forward and made available for the same purpose for the biennial

period ending June 30, 1991.

SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded or obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that the Institutions and Agencies listed herein shall have the authority to accept and use grants and donations including Federal funds, and to use its unobligated cash income, and/or funds available to it, for the purpose of supplementing the said State Treasury funds for financing the entire costs of said project or projects. Provided further, that the appropriations and funds otherwise provided by the General Assembly for maintenance and general operation of the said Institutions and Agencies shall not be used for any of the purposes set out in this Act.

(B) The General Accounting Procedures Law, the State Purchasing Law, the Revenue Stabilization Law, and other applicable fiscal laws of the State, or their successors, shall be strictly complied with, with respect to use of any funds provided by this Act.

SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

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

SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects enumerated in this Act; that certain appropriations will expire before the adjournment of the Regular Session; and that if such appropriations expire, the programs authorized by such appropriations would cease, thereby depriving the citizens of the State of the benefits to be derived from such projects. 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 its passage and approval.

APPROVED: March 14, 1989
