

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

ACT 774 OF 1993
SENATE BILL 621

For An Act To Be Entitled

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

Subtitle

"AN ACT FOR THE DEPARTMENT OF ARKANSAS HERITAGE
REAPPROPRIATION."

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

SECTION 1. REAPPROPRIATION - DIRECTOR'S OFFICE. There is hereby
appropriated, to the Department of Arkansas Heritage - Director's Office, to
be payable from the General Improvement Fund or its successor fund or fund
accounts, for the Department of Arkansas Heritage - Director's Office, the
following:

(A) Effective July 1, 1993, the balance of the appropriation provided
in Item (A) of Section 1 of Act 701 of 1991, and Item (A) of Section 1 of Act
703 of 1991, for the purchase and any costs associated with the development of
the land located near Devalls Bluff, which was the site of Historic Fort
Lincoln during the Civil War, and for costs associated with raising and
restoring the Queen City Civil War gunboat located in the White River, in a
sum not to exceed.....\$1,400,000.

(B) Effective July 1, 1993, the balance of the appropriation provided
in Item (B) of Section 7 of Act 950 of 1991, for land purchase, construction,
equipping, and other costs of placing rest stops on scenic rivers, in a sum
not to exceed.....\$250,000.

SECTION 2. REAPPROPRIATION - DEPARTMENT OF ARKANSAS HERITAGE -

1 COMMEMORATIVE COMMISSION. There is hereby appropriated, to the Department of
2 Arkansas Heritage - Commemorative Commission, to be payable from the General
3 Improvement Fund or its successor fund or fund accounts, for the Department of
4 Arkansas Heritage - Commemorative Commission, the following:

5 (A) Effective July 1, 1993, the balance of the appropriation provided
6 in Item (A) of Section 4 of Act 950 of 1991, for major maintenance, renovation
7 or repair, and Arkansas history exhibits at the Old State House, in a sum not
8 to exceed\$1,000,000.

9
10 (B) Effective July 1, 1993, the balance of the appropriation provided
11 in Item (A) of Section 3 of Act 524 of 1991, for major maintenance,
12 renovation, site improvements and repairs, and Old State House exhibit
13 replacement, in a sum not to exceed \$188,775.

14
15 (C) Effective July 1, 1993, the balance of the appropriation provided
16 in Item (B) of Section 3 of Act 524 of 1991, for major maintenance,
17 renovation, repair and exhibit replacement, in a sum not to exceed... \$140,519.

18
19 SECTION 3. REAPPROPRIATION - DEPARTMENT OF ARKANSAS HERITAGE -
20 TERRITORIAL CAPITOL RESTORATION. There is hereby appropriated, to the
21 Department of Arkansas Heritage - Territorial Capitol Restoration, to be
22 payable from the General Improvement Fund or its successor fund or fund
23 accounts, for the Department of Arkansas Heritage - Territorial Capitol
24 Restoration, the following:

25 (A) Effective July 1, 1993, the balance of the appropriation provided
26 in Item (A) of Section 2 of Act 950 of 1991, for major maintenance, renovation
27 or repair, and equipment, in a sum not to exceed \$112,700.

28
29 (B) Effective July 1, 1993, the balance of the appropriation provided
30 in Item (B) of Section 2 of Act 950 of 1991, for the construction and
31 equipping of a Reception Center Addition, in a sum not to exceed
32 \$2,233,900.

33
34 (C) Effective July 1, 1993, the balance of the appropriation provided
35 in Section 1 of Act 231 of 1991, for constructing, equipping and maintaining

1 the Reception Center Addition, in a sum not to exceed \$3,500,000.

2

3 (D) Effective July 1, 1993, the balance of the appropriation provided
4 in Item (A) of Section 5 of Act 524 of 1991, for major maintenance, repairs
5 and renovation, in a sum not to exceed \$3,117.

6

7 SECTION 4. REAPPROPRIATION - DEPARTMENT OF ARKANSAS HERITAGE - DELTA
8 CULTURAL CENTER. There is hereby appropriated, to the Department of Arkansas
9 Heritage - Delta Cultural Center, to be payable from the General Improvement
10 Fund or its successor fund or fund accounts, for the Department of Arkansas
11 Heritage - Delta Cultural Center, the following:

12 (A) Effective July 1, 1993, the balance of the appropriation provided
13 in Item (A) of Section 1 of Act 524 of 1991, for acquisition, renovation, site
14 preparation, and other related expenses of the Delta Cultural Center, in a sum
15 not to exceed \$50,000.

16

17 (B) Effective July 1, 1993, the balance of the appropriation provided
18 in Item (A) of Section 1 of Act 950 of 1991, for construction of a riverwalk,
19 in a sum not to exceed \$280,000.

20

21 (C) Effective July 1, 1993, the balance of the appropriation provided
22 in Item (B) of Section 1 of Act 950 of 1991, for land purchases for museum and
23 research buildings, in a sum not to exceed \$413,000.

24

25 (D) Effective July 1, 1993, the balance of the appropriation provided
26 in Item (C) of Section 1 of Act 950 of 1991, for construction of a major
27 museum building, in a sum not to exceed \$2,156,000.

28

29 SECTION 5. REAPPROPRIATION - DEPARTMENT OF ARKANSAS HERITAGE - NATURAL
30 HERITAGE COMMISSION. There is hereby appropriated, to the Department of
31 Arkansas Heritage - Natural Heritage Commission, to be payable from the
32 General Improvement Fund or its successor fund or fund accounts, for the
33 Department of Arkansas Heritage - Natural Heritage Commission, the following:

34 (A) Effective July 1, 1993, the balance of the appropriation provided
35 in Item (A) of Section 3 of Act 950 of 1991, for development of natural areas

1 in Cleveland, Franklin, Lonoke, Monroe, Prairie, Pulaski, Calhoun, and Saline
2 counties, in a sum not to exceed \$220,000.

3

4 SECTION 6. REAPPROPRIATION - DEPARTMENT OF ARKANSAS HERITAGE -
5 COMMEMORATIVE COMMISSION. There is hereby appropriated, to the Department of
6 Arkansas Heritage - Commemorative Commission, to be payable from cash funds as
7 defined by Arkansas Code 19-4-801 of the Department of Arkansas Heritage -
8 Commemorative Commission, for the Department of Arkansas Heritage -
9 Commemorative Commission, the following:

10 (A) Effective June 30, 1993, the balance of the appropriation provided
11 in Item (A) of Section 2 of Act 524 of 1991, for major maintenance,
12 renovation, repair, and exhibit replacement for the Old State House, in a sum
13 not to exceed \$29,955.

14

15 (B) Effective July 1, 1993, the balance of the appropriation provided
16 in Item (A) of Section 6 of Act 950 of 1991, for major maintenance, renovation
17 or repair and Arkansas history exhibits at the Old State House, in a sum
18 not to exceed \$975,000.

19

20 SECTION 7. REAPPROPRIATION - DEPARTMENT OF ARKANSAS HERITAGE - NATURAL
21 HERITAGE COMMISSION. There is hereby appropriated, to the Department of
22 Arkansas Heritage - Natural Heritage Commission, to be payable from the
23 federal funds as designated by the Chief Fiscal Officer of the State, for the
24 Department of Arkansas Heritage - Natural Heritage Commission, the following:

25 (A) Effective July 1, 1993, the balance of the appropriation provided
26 in Item (A) of Section 4 of Act 524 of 1991, for natural area acquisition and
27 development for the Natural Heritage Commission, in a sum not to exceed
28 \$124,132.

29

30 SECTION 8. REAPPROPRIATION - DEPARTMENT OF ARKANSAS HERITAGE -
31 COMMEMORATIVE COMMISSION. There is hereby appropriated, to the Department of
32 Arkansas Heritage - Commemorative Commission, to be payable from the federal
33 funds as designated by the Chief Fiscal Officer of the State, for the
34 Department of Arkansas Heritage - Commemorative Commission, the following:

35 (A) Effective July 1, 1993, the balance of the appropriation provided

1 in Item (A) of Section 5 of Act 950 of 1991, for major maintenance, renovation
2 or repair and Arkansas history exhibits at the Old State House, in a sum
3 not to exceed \$525,000.
4

5 SECTION 9. *Upon request of the Department of Parks and Tourism and upon*
6 *approval by the Chief Fiscal Officer of the State, a portion of the*
7 *appropriation provided by and funds made available for Subsection (A) of*
8 *Section 1 of Act 701 of 1991 and in Section 1, Subsection (A) of this Act may*
9 *be transferred to the Department of Parks and Tourism there to be used for the*
10 *purchase of land and costs associated therewith for benefit of Historic Fort*
11 *Lincoln, in the sum of not to exceed \$500,000.*
12

13 SECTION 10. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
14 obligations otherwise incurred in relation to the project or projects
15 described herein in excess of the State Treasury funds actually available
16 therefor as provided by law. Provided, however, that institutions and
17 agencies listed herein shall have the authority to accept and use grants and
18 donations including Federal funds, and to use its unobligated cash income or
19 funds, or both available to it, for the purpose of supplementing the State
20 Treasury funds for financing the entire costs of the project or projects
21 enumerated herein. Provided further, that the appropriations and funds
22 otherwise provided by the General Assembly for Maintenance and General
23 Operations of the agency or institutions receiving appropriation herein shall
24 not be used for any of the purposes as appropriated in this Act.

25 (B) Any restrictions contained in the Acts enumerated in the
26 reappropriation sections of this Act, the restrictions of any applicable
27 provisions of the State Purchasing Law, the General Accounting and Budgetary
28 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal
29 control laws of this State and regulations promulgated by the Department of
30 Finance and Administration, as authorized by law, shall be strictly complied
31 with in disbursement of any funds provided by this Act unless specifically
32 provided otherwise by law.

33
34 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General
35 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 which
2 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.

7

8 SECTION 12. CODE. All provisions of this Act of a general and
9 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
10 the Arkansas Code Revision Commission shall incorporate the same in the Code.

11

12 SECTION 13. SEVERABILITY. If any provision of this Act or the
13 application thereof to any person or circumstance is held invalid, such
14 invalidity shall not affect other provisions or applications of the Act which
15 can be given effect without the invalid provision or application, and to this
16 end the provisions of this Act are declared to be severable.

17

18 SECTION 14. GENERAL REPEALER. All laws and parts of laws in conflict
19 with this Act are hereby repealed.

20

21 SECTION 15. EMERGENCY CLAUSE. It is hereby found and determined by the
22 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
23 prohibits the appropriation of funds for more than a two (2) year period; that
24 previous General Assemblies have provided appropriations for the projects
25 provided enumerated in this act; that certain appropriations will expire
26 before the adjournment of the General Assembly; and that if such
27 appropriations expire, the projects and programs authorized herein will cease
28 thereby depriving the citizens of the State of the benefits to be derived from
29 such projects. Therefore, an emergency is hereby declared to exist and this
30 Act being necessary for the immediate preservation of the public peace, health
31 and safety shall be in full force and effect from and after the date of its
32 passage and approval.

33

/s/ Senator Russ

34

35

APPROVED: 3/26/93

As Engrossed: 3/11/93 3/17/93

SB 621

- 1
- 2
- 3
- 4
- 5

pal106