

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL

For An Act To Be Entitled

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

11

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

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14 SECTION 1. REAPPROPRIATION. There is hereby appropriated, to the
15 Department of Arkansas Heritage - Central Administration, to be payable from
16 the General Improvement Fund or its successor fund or fund accounts, for the
17 Department of Arkansas Heritage - Central Administration, the following:

18 (A) Effective July 1, 1991, the balance of the appropriation provided
19 in Item (A) of Section 1 of Act 154 of the First Extraordinary Session of
20 1989, for acquisition, renovation, site preparation, and other related
21 expenses of the Delta Cultural Center, in a sum not to exceed\$50,000.

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23 SECTION 2. REAPPROPRIATION - COMMEMORATIVE COMMISSION. There is hereby
24 appropriated, to the Department of Arkansas Heritage - Commemorative
25 Commission, to be payable from the cash funds as defined by Arkansas Code 19-
26 4-801 of the Department of Arkansas Heritage - Commemorative Commission, the
27 following:

28 (A) Effective June 30, 1991, the balance of the appropriation provided
29 in Item (A) of Section 1 of Act 20 of the First Extraordinary Session of 1989,
30 for major maintenance, renovation, repair, and exhibit replacement for the Old
31 State House, in a sum not to exceed\$30,000.

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33 SECTION 3. REAPPROPRIATION - COMMEMORATIVE COMMISSION. There is hereby
34 appropriated, to the Department of Arkansas Heritage - Commemorative
35 Commission, to be payable from the General Improvement Fund or its successor

1 fund or fund accounts, for the Department of Arkansas Heritage - Commemorative
2 Commission, the following:

3 (A) Effective July 1, 1991, the balance of the appropriation provided
4 in Item (C) of Section 2 of Act 20 of the First Extraordinary Session of 1989,
5 for major maintenance, renovation, site improvements and repairs, and Old
6 State House exhibit replacement, in a sum not to exceed\$188,775.

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8 (B) Effective July 1, 1991, the balance of the appropriation provided
9 in Item (B) of Section 2 of Act 20 of the First Extraordinary Session of 1989,
10 for major maintenance, renovation, repair and exhibit replacement, in a sum
11 not to exceed\$140,519.

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13 SECTION 4. REAPPROPRIATION - NATURAL HERITAGE COMMISSION. There is
14 hereby appropriated, to the Department of Arkansas Heritage - Natural Heritage
15 Commission, to be payable from the federal funds as designated by the Chief
16 Fiscal Officer of the State, for the Department of Arkansas Heritage - Natural
17 Heritage Commission, the following:

18 (A) Effective July 1, 1991, the balance of the appropriation provided
19 in Item (B) of Section 3 of Act 240 of the First Extraordinary Session of
20 1989, for natural area acquisition and development for the Natural Heritage
21 Commission, in a sum not to exceed\$124,132.

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23 SECTION 5. REAPPROPRIATION - TERRITORIAL CAPITAL RESTORATION. There is
24 hereby appropriated, to the Department of Arkansas Heritage - Territorial
25 Capitol Restoration, to be payable from the General Improvement Fund or its
26 successor fund or fund accounts, for the Department of Arkansas Heritage -
27 Territorial Capitol Restoration, the following:

28 (A) Effective July 1, 1991, the balance of the appropriation provided
29 in Item (A) of Section 3 of Act 20 of the First Extraordinary Session of 1989,
30 for major maintenance, repairs and renovation, in a sum not to exceed. \$3,117.

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32 SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
33 obligations otherwise incurred in relation to the project or projects
34 described herein in excess of the State Treasury funds actually available
35 therefor as provided by law. Provided, however, that institutions and

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

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

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

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

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31 SECTION 9. SEVERABILITY. If any provision of this Act or the
32 application thereof to any person or circumstance is held invalid, such
33 invalidity shall not affect other provisions or applications of the Act which
34 can be given effect without the invalid provision or application, and to this
35 end the provisions of this Act are declared to be severable.

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SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth 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 provided enumerated in this act; that certain appropriations will expire before the adjournment of the General Assembly; and that if such appropriations expire, the projects and programs authorized herein will 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 the date of its passage and approval.

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