

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

# **A Bill**

**HOUSE BILL 1082**

## **For An Act To Be Entitled**

8 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF  
9 FINANCE AND ADMINISTRATION TO BE USED IN MAKING GRANTS, ON  
10 A MATCHING BASIS, FOR THE CONSTRUCTION OF AN ARKANSAS  
11 MUSEUM OF AVIATION HISTORY, AND FOR THE CONSTRUCTION OF AN  
12 OUTDOOR AIR PARK FOR THE PRESERVATION AND DISPLAY OF  
13 MILITARY AIRCRAFT OF HISTORICAL AND MILITARY SIGNIFICANCE,  
14 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1995; AND FOR  
15 OTHER PURPOSES."

## **Subtitle**

17  
18 "AN ACT TO APPROPRIATE FUNDS FOR THE ARKANSAS MUSEUM OF  
19 AVIATION HISTORY AND AN OUTDOOR AIR PARK."  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. PURPOSE. The General Assembly is cognizant of the  
24 significant role aviation has played in the economic development and growth of  
25 this state and of the many contributions that citizens of Arkansas have made  
26 to aviation. The Arkansas Aviation Historical Society, Inc., a non-profit  
27 corporation, has been established to engage in the preservation and public  
28 display of a significant number of aircraft that have played an important role  
29 in the aviation history in this state, and proposes to develop an Arkansas  
30 Museum of Aviation History for such purpose, including the maintenance of  
31 archival materials of major events and circumstances that exemplify Arkansas'  
32 contribution to aviation history. In addition, the Little Rock Air Force Base  
33 Historical Foundation, Inc., a private non-profit corporation, has been  
34 founded to provide for the construction and operation, at a site on the Little  
35 Rock Air Force Base, of an Outdoor Air Park for the preservation and display

1 of military aircraft of historical and military significance, and of the role  
2 that Arkansas has played in the aviation efforts for the national defense. The  
3 General Assembly hereby determines that the development of an Arkansas Museum  
4 of Aviation History and the development of the Outdoor Air Park at the Little  
5 Rock Air Force Base would make available to this and future generations a  
6 living memorial to the history and development of the aviation industry in  
7 this state, and the providing of the aforementioned facilities would serve a  
8 public purpose. Therefore, the funds appropriated in this act are intended to  
9 assist in the development of such facilities for the benefit of the people of  
10 this state and to contribute to tourism and the economic development of the  
11 state that would result therefrom.

12

13 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the  
14 Department of Finance and Administration, to be payable from the State General  
15 Improvement Fund, or successor fund or account, for providing construction  
16 grants, on a matching basis, in the manner provided in this act for an  
17 Arkansas Museum of Aviation History and for an Arkansas Air Park for the  
18 preservation and display of aircraft of historical and military significance,  
19 to be dispensed in the manner provided in this act, for the biennial period  
20 ending June 30, 1995, the following:

21

22 Item	BIENNIAL PERIOD
23 <u>No.</u>	<u>ENDING JUNE 30, 1995</u>
24 (01) Grant to the Arkansas Aviation Historical 25 Society, Inc., a private non-profit corporation, 26 on a dollar per dollar matching basis, to be 27 used for the construction of an Arkansas Museum 28 of Aviation History, as provided herein to be 29 open to the public, the sum of .....	\$1,500,000.00
30 (02) Grant to the Little Rock Air Force Base Historical 31 Foundation, Inc., a private non-profit corporation, 32 on a dollar per dollar matching basis, to be used 33 for the construction of an Outdoor Air Park for the 34 preservation and display of military aircraft of 35 historical and military significance, as provided	



1 and to be located on land provided by the Little Rock Air Force Base. Such  
2 facility shall be called the Little Rock Air Force Base Outdoor Air Park, and  
3 the lands therefor shall be donated or provided to the Foundation by the  
4 appropriate authorities of the Little Rock Air Force Base, and no state funds  
5 appropriated in this act shall be used for payment thereof.

6 (b) Funds in the amount of three hundred thousand dollars (\$300,000.00)  
7 have been raised by the Foundation from private, local or other sources, and  
8 monies appropriated in this act shall not be made available to the Foundation  
9 for the purposes of this act except on a dollar per dollar matching basis  
10 after the entire three hundred thousand dollars (\$300,000.00) has been raised  
11 by the Foundation.

12 (c) An agreement has been entered into between the Little Rock Air Force  
13 Base Historical Foundation, Inc. and the appropriate officials of the Little  
14 Rock Air Force Base setting out provisions governing the operations of the  
15 proposed park and providing access for the public for review of the aircraft  
16 displayed.

17 (d) The Governor has reviewed and approved the aforementioned plans and  
18 has certified to the Director of the Department of Finance and Administration  
19 his approval, whereupon, the Director of the Department of Finance and  
20 Administration shall, upon certification of the Society and the Foundation  
21 that all of the aforementioned conditions have been met, disburse the funds  
22 provided in this act whenever the same become available, in the manner  
23 provided by law.

24

25 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
26 obligations otherwise incurred in relation to the project or projects  
27 described herein in excess of the State Treasury funds actually available  
28 therefor as provided by law. Provided, however, that institutions and  
29 agencies listed herein shall have the authority to accept and use grants and  
30 donations including Federal funds, and to use its unobligated cash income or  
31 funds, or both available to it, for the purpose of supplementing the State  
32 Treasury funds for financing the entire costs of the project or projects  
33 enumerated herein. Provided further, that the appropriations and funds  
34 otherwise provided by the General Assembly for Maintenance and General  
35 Operations of the agency or institutions receiving appropriation herein shall

1 not be used for any of the purposes as appropriated in this Act.

2 (B) The restrictions of any applicable provisions of the State  
3 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
4 Revenue Stabilization Law and any other applicable fiscal control laws of this  
5 State and regulations promulgated by the Department of Finance and  
6 Administration, as authorized by law, shall be strictly complied with in  
7 disbursement of any funds provided by this Act unless specifically provided  
8 otherwise by law.

9

10 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General  
11 Assembly that any funds disbursed under the authority of the appropriations  
12 contained in this Act shall be in compliance with the stated reasons for which  
13 this Act was adopted, as evidenced by the Agency Requests, Executive  
14 Recommendations and Legislative Recommendations contained in the budget  
15 manuals prepared by the Department of Finance and Administration, letters, or  
16 summarized oral testimony in the official minutes of the Arkansas Legislative  
17 Council or Joint Budget Committee which relate to its passage and adoption.

18

19 SECTION 7. CODE. All provisions of this Act of a general and permanent  
20 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
21 Code Revision Commission shall incorporate the same in the Code.

22

23 SECTION 8. SEVERABILITY. If any provision of this Act or the  
24 application thereof to any person or circumstance is held invalid, such  
25 invalidity shall not affect other provisions or applications of the Act which  
26 can be given effect without the invalid provision or application, and to this  
27 end the provisions of this Act are declared to be severable.

28

29 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict  
30 with this Act are hereby repealed.

31

32 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
33 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas  
34 prohibits the appropriation of funds for more than a two (2) year period; that  
35 the effectiveness of this Act on July 1, 1993 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in  
2 the event of an extension of the Regular Session, the delay in the effective  
3 date of this Act beyond July 1, 1993 could work irreparable harm upon the  
4 proper administration and provision of essential governmental programs.  
5 Therefore, an emergency is hereby declared to exist and this Act being  
6 necessary for the immediate preservation of the public peace, health and  
7 safety shall be in full force and effect from and after July 1, 1993.

8

9

*/s/John E. Miller*

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

- 1
- 2
- 3
- 4
- 5