

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

A Bill

SENATE BILL 621

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."

Subtitle

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

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

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

23 (A) Effective July 1, 1993, the balance of the appropriation provided
24 in Item (A) of Section 1 of Act 701 of 1991, and Item (A) of Section 1 of Act
25 703 of 1991, for the purchase and any costs associated with the development of
26 the land located near Devalls Bluff, which was the site of Historic Fort
27 Lincoln during the Civil War, and for costs associated with raising and
28 restoring the Queen City Civil War gunboat located in the White River, in a
29 sum not to exceed.....\$1,400,000.

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

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

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

10

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

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

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

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

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30 (B) Effective July 1, 1993, the balance of the appropriation provided
31 in Item (B) of Section 2 of Act 950 of 1991, for the construction and
32 equipping of a Reception Center Addition, in a sum not to exceed
33 \$2,233,900.

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

1 in Section 1 of Act 231 of 1991, for constructing, equipping and maintaining
2 the Reception Center Addition, in a sum not to exceed\$3,500,000.

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

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

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

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

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

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

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

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

1 in Item (A) of Section 3 of Act 950 of 1991, for development of natural areas
2 in Cleveland, Franklin, Lonoke, Monroe, Prairie, Pulaski, Calhoun, and Saline
3 counties, in a sum not to exceed \$220,000.

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

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

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

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

26 (A) Effective July 1, 1993, the balance of the appropriation provided
27 in Item (A) of Section 4 of Act 524 of 1991, for natural area acquisition and
28 development for the Natural Heritage Commission, in a sum not to exceed
29 \$124,132.

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

1 (A) Effective July 1, 1993, the balance of the appropriation provided
2 in Item (A) of Section 5 of Act 950 of 1991, for major maintenance, renovation
3 or repair and Arkansas history exhibits at the Old State House, in a sum
4 not to exceed \$525,000.
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6 SECTION 9. *Upon request of the Department of Parks and Tourism and upon*
7 *approval by the Chief Fiscal Officer of the State, a portion of the*
8 *appropriation provided by and funds made available for Subsection (A) of*
9 *Section 1 of Act 701 of 1991 and in Section 1, Subsection (A) of this Act may*
10 *be transferred to the Department of Parks and Tourism there to be used for the*
11 *purchase of land and costs associated therewith for benefit of Historic Fort*
12 *Lincoln, in the sum of not to exceed \$500,000.*
13

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

26 (B) Any restrictions contained in the Acts enumerated in the
27 reappropriation sections of this Act, the restrictions of any applicable
28 provisions of the State Purchasing Law, the General Accounting and Budgetary
29 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal
30 control laws of this State and regulations promulgated by the Department of
31 Finance and Administration, as authorized by law, shall be strictly complied
32 with in disbursement of any funds provided by this Act unless specifically
33 provided otherwise by law.
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35 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General

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

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

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

18

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

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

34

/s/ Senator Russ

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

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