

Act 171 of the First Special Session of 1989.

Act 171

HB1019

By:Joint Budget Committee

For An Act To Be Entitled
"AN ACT TO MAKE AN APPROPRIATION FOR PAYING LEGAL FEES,
REFUNDS, PURCHASING LAND, HARDWOOD REFORESTATION EXPENSES,
AND HABITAT REHABILITATION OF THE ARKANSAS GAME AND FISH
COMMISSION AS DIRECTED BY THE CHANCERY COURT OF PULASKI
COUNTY ; AND FOR OTHER PURPOSES."

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

SECTION 1. APPROPRIATIONS . There is hereby appropriated, to the Arkansas Game and Fish Commission, to be payable from the segregated account within the Game Protection Fund, for legal fees, payment of refunds, and associated expenses of the Arkansas Game and Fish Commission and for hardwood reforestation, habitat rehabilitation, land acquisition or capital improvements thereon as authorized by the Second Division of Chancery Court of Pulaski County, Arkansas, the following:

ITEM NO.	AUTHORIZED EXPENDITURE OF NOT TO EXCEED THE SUM OF
(1) Legal Fees	\$ 136,000
(2) Refunds, administrative costs and reimbursement for administrative costs as required to implement the refund program as directed by the court	\$3,500,000
(3) Acquisition of Land For firing ranges (maximum of 10), bottomland and upland hardwood/wet lands suitable for deer, fur bearers, turkey, ducks, rabbits or squirrel. A maximum of \$500,000 may be used to purchase land within the Overflow National Wildlife Refuge boundaries upon entering into a letter of intent between the Game and Fish Commission and the United States Fish and Wildlife Service. Such land shall be acquired from the Game and Fish Commission at the same purchase price within two years from the date of purchase by the Game and Fish Commission. Such funds as are received from the reacquisition shall be deposited into the segregated account as a "refund to expenditure" there to be available for the other purposes as provided by this Act.	\$1,000,000
(4) Capital Improvements on Game and Fish lands Includes river accesses, a maximum of ten (10) firing ranges not to exceed a total of \$200,000, and other improvements as designated by the Commission. It is the intent of the General Assembly for the Game and Fish Commission to obtain the land for the firing ranges and to attempt to match local, federal or private funds to the maximum extent possible. It is further the intent that the Game and Fish Commission shall have no further responsibility for the upkeep of any firing ranges which were obtained from these funds.	\$ 750,000
(5) Capital improvements for Habitat Rehabilitation for quail and other wildlife	\$ 500,000
(6) Hardwood Reforestation expenses Includes assistance, up to \$100,000, to the Arkansas Forestry	\$ 450,000

Commission in accelerating their hardwood reforestation efforts. Provided that all hardwood seedlings as may be made available to the public by the Forestry Commission shall be at cost.

SECTION 2. 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 3. 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. Act 884 of 1989 is hereby repealed.

SECTION 4. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that Pulaski County Chancery Court has determined that the Arkansas' sportsmen were overcharged for license fees for the period of July 1, 1987 through October 16, 1988; that the Arkansas Game and Fish Commission has been ordered by the court to refund the excess fees immediately after a hearing which is to be held on April 25, 1989; and that a plan must be in place to show the court the legislative disposition of excess fees which are not claimed. 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.

APPROVED: June 23, 1989
