

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

A BILL ACT 493 OF 1991
HOUSE BILL 1778

For An Act To Be Entitled

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

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

14 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
15 appropriated, to the Department of Parks and Tourism - General Improvement, to
16 be payable from the General Improvement Fund or its successor fund or fund
17 accounts, for the Department of Parks and Tourism - General Improvement, the
18 following:

19 (A) Effective July 1, 1991, the balance of the appropriation provided
20 in Item (B) of Section 1 of Act 283 of the First Extraordinary Session of
21 1989, for construction, renovation, major maintenance and improvements to the
22 Crater of Diamonds State Park, in a sum not to exceed\$60,000.

24 (B) Effective July 1, 1991, the balance of the appropriation provided
25 in Item (C) of Section 1 of Act 283 of the First Extraordinary Session of
26 1989, for purchase of equipment and costs associated with repairs, renovation
27 and maintenance at White Oak Lake State Park, in a sum not to exceed \$65,839.

29 (C) Effective July 1, 1991, the balance of the appropriation provided
30 in Item (D) of Section 1 of Act 283 of the First Extraordinary Session of
31 1989, for construction, renovation, repairs and major maintenance at Old
32 Washington State Park, in a sum not to exceed\$217,443.

34 (D) Effective July 1, 1991, the balance of the appropriation provided
35 in Item (E) of Section 1 of Act 283 of the First Extraordinary Session of
36 1989, for construction, renovation and repairs at Jacksonport State Park, in a

1 sum not to exceed \$94,056.

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3 (E) Effective July 1, 1991, the balance of the appropriation provided
4 in Item (F) of Section 1 of Act 283 of the First Extraordinary Session of
5 1989, for construction, major maintenance and repairs of existing state parks,
6 in a sum not to exceed \$382,247.

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8 (F) Effective July 1, 1991, the balance of the appropriation provided
9 in Item (I) of Section 1 of Act 283 of the First Extraordinary Session of
10 1989, for remodeling of restrooms at the amphitheater sewage lift station of
11 the Prairie Grove Battlefield Park, in a sum not to exceed \$64,075.

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13 (G) Effective July 1, 1991, the balance of the appropriation provided
14 in Item (G) of Section 1 of Act 283 of the First Extraordinary Session of
15 1989, for construction, repairs, renovation and major maintenance costs at
16 Lake Ouachita State Park, in a sum not to exceed \$204,808.

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18 (H) Effective July 1, 1991, the balance of the appropriation provided
19 in Item (H) of Section 1 of Act 283 of the First Extraordinary Session of
20 1989, for engineering, survey and environmental impact statement for Mount
21 Magazine State Park, in a sum not to exceed \$100,000.

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23 (I) Effective July 1, 1991, the balance of the appropriation provided
24 in Item (J) of Section 1 of Act 283 of the First Extraordinary Session of
25 1989, for construction, major maintenance, renovation and repairs at Parkin
26 Indian Mound State Park, in a sum not to exceed \$930,000.

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28 (J) Effective July 1, 1991, the balance of the appropriation provided
29 in Item (R) of Section 1 of Act 283 of the First Extraordinary Session of
30 1989, for collection management facilities at the Scott Agriculture Museum, in
31 a sum not to exceed \$343,000.

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33 (K) Effective June 30, 1991, the balance of the appropriation provided
34 in Item (C) of Section 1 of Act 58 of the First Extraordinary Session of 1989,
35 for the cost share relocation of a substation near the Visitor Information

1 Center and removal of overhead power lines and/or for renovation and equipping
2 a hydroelectric facility to be used as an interpretative/research project at
3 Mammoth Springs State Park, in a sum not to exceed\$22,850.

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5 (L) Effective June 30, 1991, the balance of the appropriation provided
6 in Item (F) of Section 1 of Act 58 of the First Extraordinary Session of 1989,
7 for constructing and equipping roadways, a visitor information center, a
8 bathhouse, a restroom/pavilion, campsites, maintenance facilities and a sewer
9 system at Cane Creek State Park, in a sum not to exceed\$380,000.

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11 SECTION 2. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to
12 the Department of Parks and Tourism, to be payable from the federal funds as
13 designated by the Chief Fiscal Officer of the State, for the Department of
14 Parks and Tourism - Federal, the following:

15 (A) Effective June 30, 1991, the balance of the appropriation provided
16 in Item (A) of Section 2 of Act 58 of the First Extraordinary Session of 1989,
17 for construction, renovating, improving, acquiring real and personal property
18 and for other purposes at various state parks, in a sum not to exceed
19 \$140,776.

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21 (B) Effective April 15, 1991, the balance of the appropriation provided
22 in Item (B) of Section 2 of Act 58 of the First Extraordinary Session of 1989,
23 for constructing, renovating, repairing, improving, acquiring real and
24 personal properties and for such other purposes as may be required for making
25 available recreational facilities for the citizens of Arkansas, by the
26 Department of Parks and Tourism, in a sum not to exceed\$44,463.

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28 (C) Effective June 30, 1991, the balance of the appropriation provided
29 in Item (C) of Section 2 of Act 58 of the First Extraordinary Session of 1989,
30 for constructing and equipping roadways, a visitor information center, a
31 bathhouse, a restroom/pavilion, campsites, maintenance facilities, and a sewer
32 system at Cane Creek State Park, in a sum not to exceed\$743,000.

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34 SECTION 3. REAPPROPRIATION - CASH. There is hereby appropriated, to the
35 Department of Parks and Tourism, to be payable from the Mount Nebo Land Sales

1 Cash Fund, for the Department of Parks and Tourism , the following:

2 (A) Effective June 30, 1991, the balance of the appropriation provided
3 in Item (A) of Section 3 of Act 58 of the First Extraordinary Session of 1989,
4 for investment of fund balances from the Mount Nebo Land Sales Fund Account,
5 in a sum not to exceed \$300,000.

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7 (B) Effective July 1, 1991, the balance of the appropriation provided
8 in Item (A) of Section 3 of Act 283 of the First Extraordinary Session of
9 1989, for construction, major maintenance and repair of existing state parks,
10 in a sum not to exceed \$249,426.

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12 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the
13 Department of Parks and Tourism, to be payable from cash funds as defined by
14 Arkansas Code 19-4-801 of the Department of Parks and Tourism, for various
15 construction projects, in a sum not to exceed \$24,160.

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17 SECTION 5. REAPPROPRIATION - REVENUE BONDS. There is hereby
18 appropriated, to the Department of Parks and Tourism, to be payable from the
19 Revenue Bonds issued under the authority of Arkansas Code 22-4-302 et. seq.,
20 for the Department of Parks and Tourism, the following:

21 (A) Effective April 9, 1991, the balance of the appropriation provided
22 in Item (A) of Section 5 of Act 58 of the First Extraordinary Session of 1989
23 and Section 1 of Act 215 of the First Extraordinary Session of 1989, for land
24 purchases and various construction and improvement projects for Mount Nebo
25 State Park, in a sum not to exceed \$313,516.

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27 SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
28 obligations otherwise incurred in relation to the project or projects
29 described herein in excess of the State Treasury funds actually available
30 therefor as provided by law. Provided, however, that institutions and
31 agencies listed herein shall have the authority to accept and use grants and
32 donations including Federal funds, and to use its unobligated cash income or
33 funds, or both available to it, for the purpose of supplementing the State
34 Treasury funds for financing the entire costs of the project or projects
35 enumerated herein. Provided further, that the appropriations and funds

1 otherwise provided by the General Assembly for Maintenance and General
2 Operations of the agency or institutions receiving appropriation herein shall
3 not be used for any of the purposes as appropriated in this Act.

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

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

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

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

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

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35 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the

1 Seventy-Eighth General Assembly, that the Constitution of the State of
2 Arkansas prohibits the appropriation of funds for more than a two (2) year
3 period; that previous General Assemblies have provided appropriations for the
4 projects provided enumerated in this act; that certain appropriations will
5 expire before the adjournment of the General Assembly; and that if such
6 appropriations expire, the projects and programs authorized herein will cease
7 thereby depriving the citizens of the State of the benefits to be derived from
8 such projects. Therefore, an emergency is hereby declared to exist and this
9 Act being necessary for the immediate preservation of the public peace, health
10 and safety shall be in full force and effect from and after the date of its
11 passage and approval.

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APPROVED: 3-13-91

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