

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

Act 163 of 1999
SENATE BILL 301

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

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

Subtitle

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

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. REAPPROPRIATION - DIRECTOR'S OFFICE - TRUST. There is hereby
21 appropriated, to the Department of Arkansas Heritage, to be payable from the
22 Arkansas Natural and Cultural Resources Grant and Trust Fund, for the
23 Department of Arkansas Heritage - Director's Office, the following:

24 (A) Effective July 1, 1999, the balance of the appropriation provided in
25 Section 52 of Act 1115 of 1997, for operating expenses of the Department of
26 Arkansas Heritage - Director's Office, in a sum not to exceed.....\$25,000.
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28 (B) Effective July 1, 1999, the balance of the appropriation provided in
29 Section 52 of Act 1115 of 1997, for construction expenses of the Department of
30 Arkansas Heritage - Director's Office, in a sum not to exceed....\$275,000.
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32 (C) Effective July 1, 1999, the balance of the appropriation provided in
33 Section 52 of Act 1115 of 1997, for conference fees and travel expenses of the
34 Department of Arkansas Heritage - Director's Office, in a sum not to exceed
35\$5,000.
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(D) Effective July 1, 1999, the balance of the appropriation provided in Section 52 of Act 1115 of 1997, for professional fees and services of the Department of Arkansas Heritage - Director's Office, in a sum not to exceed\$50,000.

SECTION 2. REAPPROPRIATION - DIRECTOR'S OFFICE - GENERAL IMPROVEMENT. There is hereby appropriated, to the Department of Arkansas Heritage, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Arkansas Heritage, the following:

(A) Effective July 1, 1999, the balance of the appropriation provided in Item (B) of Section 1 of Act 458 of 1997, for costs of major maintenance at various facilities of the Department of Arkansas Heritage, in a sum not to exceed\$483,424.

(B) Effective July 1, 1999, the balance of the appropriation provided in Item (A) of Section 2 of Act 457 of 1997, for major maintenance, renovation and repairs of various facilities within the Department of Arkansas Heritage, in a sum not to exceed\$399,368.

SECTION 3. REAPPROPRIATION - DELTA CULTURAL CENTER - CASH. There is hereby appropriated, to the Department of Arkansas Heritage, to be payable from the cash funds as defined by Arkansas Code 19-4-801, for the Department of Arkansas Heritage, the following:

(A) Effective July 1, 1999, the balance of the appropriation provided in Section 14 of Act 1115 of 1997, for construction expenses of the Delta Cultural Center, in a sum not to exceed\$379,130.

SECTION 4. REAPPROPRIATION - DELTA CULTURAL CENTER - TRUST. There is hereby appropriated, to the Department of Arkansas Heritage, to be payable from the Arkansas Natural and Cultural Resources Grant and Trust Fund, for the Department of Arkansas Heritage, the following:

(A) Effective July 1, 1999, the balance of the appropriation provided in Section 52 of Act 1115 of 1997, for construction expenses of the Delta Cultural Center, in a sum not to exceed\$436,987.

SECTION 5. REAPPROPRIATION - DELTA CULTURAL CENTER - GENERAL IMPROVEMENT.

1 There is hereby appropriated, to the Department of Arkansas Heritage, to be
2 payable from the General Improvement Fund or its successor fund or fund
3 accounts, for the Department of Arkansas Heritage, the following:

4 (A) Effective July 1, 1999, the balance of the appropriation provided in
5 Item (A) of Section 3 of Act 457 of 1997, for construction, renovation, repair
6 and equipping of the Research Archives Project, Phase I, in a sum not to
7 exceed\$100,000.

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9 (B) Effective July 1, 1999, the balance of the appropriation provided in
10 Item (C) of Section 3 of Act 457 of 1997, for land purchases for a museum and
11 research buildings, in a sum not to exceed\$21,600.

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13 (C) Effective July 1, 1999, the balance of the appropriation provided in
14 Item (D) of Section 3 of Act 457 of 1997, for construction of interactive
15 exhibitry, in a sum not to exceed\$200,000.

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17 SECTION 6. REAPPROPRIATION - COMMEMORATIVE COMMISSION. There is hereby
18 appropriated, to the Department of Arkansas Heritage, to be payable from the
19 cash funds as defined by Arkansas Code 19-4-801, for the Department of
20 Arkansas Heritage, the following:

21 (A) Effective July 1, 1999, the balance of the appropriation provided in
22 Item (A) of Section 4 of Act 457 of 1997, for Arkansas History exhibit
23 construction, in a sum not to exceed\$38,683.

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25 (B) Effective July 1, 1999, the balance of the appropriation provided in
26 Item (B) of Section 4 of Act 457 of 1997, for Arkansas History exhibit
27 construction, in a sum not to exceed\$51,680.

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29 SECTION 7. REAPPROPRIATION - COMMEMORATIVE COMMISSION - TRUST. There is
30 hereby appropriated, to the Department of Arkansas Heritage, to be payable
31 from the Arkansas Natural and Cultural Resources Grant and Trust Fund, for the
32 Department of Arkansas Heritage, the following:

33 (A) Effective July 1, 1999, the balance of the appropriation provided in
34 Section 52 of Act 1115 of 1997, for operating expenses for the Old State House
35 and Trapnall Hall, in a sum not to exceed\$37,810.

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1 (B) Effective July 1, 1999, the balance of the appropriation provided in
2 Section 52 of Act 1115 of 1997, for professional fees and services at the Old
3 State House and Trapnall Hall, in a sum not to exceed\$700,000.

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5 SECTION 8. REAPPROPRIATION - HISTORIC PRESERVATION - TRUST. There is hereby
6 appropriated, to the Department of Arkansas Heritage, to be payable from the
7 Arkansas Natural and Cultural Resources Grant and Trust Fund, for the
8 Department of Arkansas Heritage, the following:

9 (A) Effective July 1, 1999, the balance of the appropriation provided in
10 Section 52 of Act 1115 of 1997, for grants for county courthouse restoration,
11 in a sum not to exceed\$500,000.

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13 SECTION 9. REAPPROPRIATION - NATURAL HERITAGE COMMISSION - TRUST. There is
14 hereby appropriated, to the Department of Arkansas Heritage, to be payable
15 from the Arkansas Natural and Cultural Resources Grant and Trust Fund, for the
16 Department of Arkansas Heritage, the following:

17 (A) Effective July 1, 1999, the balance of the appropriation provided in
18 Section 52 of Act 1115 of 1997, for land acquisition and resource management,
19 in a sum not to exceed\$677,400.

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21 SECTION 10. REAPPROPRIATION - TERRITORIAL CAPITOL RESTORATION. There is
22 hereby appropriated, to the Department of Arkansas Heritage, to be payable
23 from the Arkansas Natural and Cultural Resources Grant and Trust Fund, for the
24 Department of Arkansas Heritage, the following:

25 (A) Effective July 1, 1999, the balance of the appropriation provided in
26 Section 52 of Act 1115 of 1997, for construction of an addition to the
27 Arkansas Territorial Restoration, in a sum not to exceed\$700,000.

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29 SECTION 11. REAPPROPRIATION - TERRITORIAL RESTORATION - GENERAL
30 IMPROVEMENT. There is hereby appropriated, to the Department of Arkansas
31 Heritage, to be payable from the General Improvement Fund or its successor
32 fund or fund accounts, for the Department of Arkansas Heritage, the following:

33 (A) Effective July 1, 1999, the balance of the appropriation provided in
34 Item (A) of Section 1 of Act 458 of 1997, for costs associated with the
35 expansion of the Territorial Restoration Reception Center, in a sum not to
36 exceed\$750,000.

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2 (B) Effective July 1, 1999, the balance of the appropriation provided in
3 Item (A) of Section 7 of Act 457 of 1997, for costs associated with the
4 enhancement of permanent exhibits, in a sum not to exceed\$237,480.
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6 SECTION 12. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
7 obligations otherwise incurred in relation to the project or projects
8 described herein in excess of the State Treasury funds actually available
9 therefor as provided by law. Provided, however, that institutions and
10 agencies listed herein shall have the authority to accept and use grants and
11 donations including Federal funds, and to use its unobligated cash income or
12 funds, or both available to it, for the purpose of supplementing the State
13 Treasury funds for financing the entire costs of the project or projects
14 enumerated herein. Provided further, that the appropriations and funds
15 otherwise provided by the General Assembly for Maintenance and General
16 Operations of the agency or institutions receiving appropriation herein shall
17 not be used for any of the purposes as appropriated in this act.

18 (B) The restrictions of any applicable provisions of the State Purchasing
19 Law, the General Accounting and Budgetary Procedures Law, the Revenue
20 Stabilization Law and any other applicable fiscal control laws of this State
21 and regulations promulgated by the Department of Finance and Administration,
22 as authorized by law, shall be strictly complied with in disbursement of any
23 funds provided by this act unless specifically provided otherwise by law.
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25 SECTION 13. LEGISLATIVE INTENT. It is the intent of the General Assembly
26 that any funds disbursed under the authority of the appropriations contained
27 in this act shall be in compliance with the stated reasons for which this act
28 was adopted, as evidenced by the Agency Requests, Executive Recommendations
29 and Legislative Recommendations contained in the budget manuals prepared by
30 the Department of Finance and Administration, letters, or summarized oral
31 testimony in the official minutes of the Arkansas Legislative Council or Joint
32 Budget Committee which relate to its passage and adoption.
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34 SECTION 14. CODE. All provisions of this Act of a general and permanent
35 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
36 Code Revision Commission shall incorporate the same in the Code.

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

SECTION 16. GENERAL REPEALER. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 17. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second 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 or 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. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.

APPROVED: 2/18/1999