

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H1/29/03
A Bill

Act 1053 of 2003
HOUSE BILL 1174

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.
12
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Subtitle

15 AN ACT FOR THE DEPARTMENT OF ARKANSAS
16 HERITAGE REAPPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. REAPPROPRIATION - DELTA CULTURAL CENTER - GENERAL IMPROVEMENT
22 FUNDS. There is hereby appropriated, to the Department of Arkansas Heritage -
23 Delta Cultural Center, to be payable from the General Improvement Fund or its
24 successor fund or fund accounts, for the Department of Arkansas Heritage -
25 Delta Cultural Center, the following:

26 (A) Effective July 1, 2003, the balance of the appropriation provided in
27 Item (B) of Section 6 of Act 121 of 2001, for land purchases for a museum and
28 research buildings, in a sum not to exceed\$16,430.
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30 SECTION 2. REAPPROPRIATION - DELTA CULTURAL CENTER - CASH. There is hereby
31 appropriated, to the Department of Arkansas Heritage - Delta Cultural Center,
32 to be payable from the cash fund deposited in the State Treasury as
33 determined by the Chief Fiscal Officer of the State, for the Department of
34 Arkansas Heritage - Delta Cultural Center, the following:

35 (A) Effective July 1, 2003, the balance of the appropriation provided in
36 Item (A) of Section 4 of Act 121 of 2001 and Section 7 of Act 1102 of 2001,



1 for construction, in a sum not to exceed.....\$54,496.

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3 SECTION 3. REAPPROPRIATION - DELTA CULTURAL CENTER. There is hereby
4 appropriated, to the Department of Arkansas Heritage - Delta Cultural Center,
5 to be payable from the Arkansas Natural and Cultural Resources Grant and
6 Trust Fund, for the Department of Arkansas Heritage - Delta Cultural Center,
7 the following:

8 (A) Effective July 1, 2003, the balance of the appropriation provided in
9 Section 22 of Act 1102 of 2001, for grants for the acquisition, management,
10 stewardship and preservation of state-owned lands or historic sites by the
11 Natural and Cultural Resources Council of the Department of Arkansas
12 Heritage, in a sum not to exceed\$290,270.

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14 SECTION 4. REAPPROPRIATION - HISTORIC PRESERVATION. There is hereby
15 appropriated, to the Department of Arkansas Heritage - Historic Preservation,
16 to be payable from the Arkansas Natural and Cultural Resources Grant and
17 Trust Fund, for the Department of Arkansas Heritage - Historic Preservation,
18 the following:

19 (A) Effective July 1, 2003, the balance of the appropriation provided in
20 Section 22 of Act 1102 of 2001, for grants for the acquisition, management,
21 stewardship and preservation of state-owned lands or historic sites by the
22 Natural and Cultural Resources Council of the Department of Arkansas
23 Heritage, in a sum not to exceed\$725,000.

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25 SECTION 5. REAPPROPRIATION - OLD STATE HOUSE COMMISSION. There is hereby
26 appropriated, to the Department of Arkansas Heritage - Old State House, to be
27 payable from the Arkansas Natural and Cultural Resources Grant and Trust
28 Fund, for the Department of Arkansas Heritage - Old State House, the
29 following:

30 (A) Effective July 1, 2003, the balance of the appropriation provided in
31 Section 22 of Act 1102 of 2001, for grants for the acquisition, management,
32 stewardship and preservation of state-owned lands or historic sites by the
33 Natural and Cultural Resources Council of the Department of Arkansas
34 Heritage, in a sum not to exceed\$679,385.

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36 SECTION 6. REAPPROPRIATION - HISTORIC ARKANSAS MUSEUM COMMISSION. There is

1 hereby appropriated, to the Department of Arkansas Heritage - Historic
2 Arkansas Museum, to be payable from the Arkansas Natural and Cultural
3 Resources Grant and Trust Fund, for the Department of Arkansas Heritage -
4 Historic Arkansas Museum, the following:

5 (A) Effective July 1, 2003, the balance of the appropriation provided in
6 Section 22 of Act 1102 of 2001, for grants for the acquisition, management,
7 stewardship and preservation of state-owned lands or historic sites by the
8 Natural and Cultural Resources Council of the Department of Arkansas
9 Heritage, in a sum not to exceed\$694,485.

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11 SECTION 7. REAPPROPRIATION - NATURAL AREA MANAGEMENT - CASH. There is
12 hereby appropriated, to the Department of Arkansas Heritage - Natural
13 Heritage Commission, to be payable from the cash fund deposited in the State
14 Treasury as determined by the Chief Fiscal Officer of the State, for the
15 Department of Arkansas Heritage - Natural Heritage Commission, the following:

16 (A) Effective July 1, 2003, the balance of the appropriation provided in
17 Section 18 of Act 1102 of 2001, for land acquisition, in a sum not to exceed
18\$694,510.

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20 SECTION 8. REAPPROPRIATION - NATURAL HERITAGE COMMISSION. There is hereby
21 appropriated, to the Department of Arkansas Heritage - Natural Heritage
22 Commission, to be payable from the Arkansas Department of Heritage Fund
23 Account, for the Department of Arkansas Heritage - Natural Heritage
24 Commission, the following:

25 (A) Effective July 1, 2003, the balance of the appropriation provided in
26 Section 1 of Act 385 of 2001, for the System of Natural Areas: Land
27 Acquisition, Public Access and Inventory capital project of the Department of
28 Arkansas Heritage, in a sum not to exceed\$245,000.

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30 SECTION 9. REAPPROPRIATION - NATURAL HERITAGE COMMISSION. There is hereby
31 appropriated, to the Department of Arkansas Heritage - Natural Heritage
32 Commission, to be payable from the Arkansas Natural and Cultural Resources
33 Grant and Trust Fund, for the Department of Arkansas Heritage - Natural
34 Heritage Commission, the following:

35 (A) Effective July 1, 2003, the balance of the appropriation provided in
36 Section 22 of Act 1102 of 2001, for grants for the acquisition, management,

1 stewardship and preservation of state-owned lands or historic sites by the
2 Natural and Cultural Resources Council of the Department of Arkansas
3 Heritage, in a sum not to exceed\$1,023,705.
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5 SECTION 10. REAPPROPRIATION - CENTRAL ADMINISTRATION. 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, 2003, the balance of the appropriation provided in
10 Section 22 of Act 1102 of 2001, for grants for the acquisition, management,
11 stewardship and preservation of state-owned lands or historic sites by the
12 Natural and Cultural Resources Council of the Department of Arkansas
13 Heritage, in a sum not to exceed\$117,721.
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15 SECTION 11. REAPPROPRIATION - CENTRAL ADMINISTRATION - GENERAL IMPROVEMENT
16 FUNDS. There is hereby appropriated, to the Department of Arkansas Heritage,
17 to be payable from the General Improvement Fund or its successor fund or fund
18 accounts, for the Department of Arkansas Heritage, the following:

19 (A) Effective July 1, 2003, the balance of the appropriation provided in
20 Item (C) of Section 2 of Act 121 of 2001, for major maintenance, renovation
21 and repairs of various facilities within the Department of Arkansas Heritage,
22 in a sum not to exceed\$25,058.

23 (B) Effective July 1, 2003, the balance of the appropriation provided in
24 Item (B) of Section 2 of Act 121 of 2001, for major maintenance, renovation
25 and repairs of various facilities within the Department of Arkansas Heritage,
26 in a sum not to exceed\$99,221.

27 (C) Effective July 1, 2003, the balance of the appropriation provided in
28 Item (A) of Section 1 of Act 675 of 2001, for costs associated with the
29 maintenance, operation, supplies and materials for the Marked Tree Delta Area
30 Museum, in a sum not to exceed\$6,484.

31 (D) Effective July 1, 2003, the balance of the appropriation provided in
32 Section 1 of Act 503 of 2001, for costs associated with the construction,
33 equipping and furnishing of a theatrical facility in Pocahontas, Arkansas, in
34 a sum not to exceed\$805,687.

35 (E) Effective July 1, 2003, the balance of the appropriation provided in
36 Item (A) of Section 1 of Act 864 of 2001, for state support to Sevier County

1 for assistance to the Sevier County Historical Society, in a sum not to
2 exceed\$8,104.

3 (F) Effective July 1, 2003, the balance of the appropriation provided in
4 Item (A) of Section 1 of Act 1511 of 2001, for state support for the Fort
5 Smith Multicultural Center, in a sum not to exceed\$23,436.

6 (G) Effective July 1, 2003, the balance of the appropriation provided in
7 Section 1 of Act 1301 of 2001, for the construction, purchase and acquisition
8 of materials to build a permanent music stage and for the development of a
9 music sound studio for tourism, education and cultural enrichment and for
10 other costs in Helena, Arkansas, in a sum not to exceed\$490,800.

11 (H) Effective July 1, 2003, the balance of the appropriation provided in
12 Item (A) of Section 1 of Act 827 of 2001, for renovation of the Mosaic
13 Templars building in Little Rock for the establishment of The Mosaic Templars
14 of America Center for African-American Culture and Development, in a sum not
15 to exceed\$3,078,550.

16 (I) Effective July 1, 2003, the balance of the appropriation provided in
17 Item (B) of Section 1 of Act 864 of 2001, for state support to Howard County
18 for assistance to the Howard County Museum, in a sum not to exceed ...\$8,104.

19 (J) Effective July 1, 2003, the balance of the appropriation provided in
20 Item (C) of Section 1 of Act 864 of 2001, for state support to the
21 DeQueen/Sevier Chamber of Commerce, in a sum not to exceed\$3,242.

22 (K) Effective July 1, 2003, the balance of the appropriation provided in
23 Item (D) of Section 1 of Act 864 of 2001, for state support to the Nashville
24 Chamber of Commerce, in a sum not to exceed\$3,242.

25 (L) Effective July 1, 2003, the balance of the appropriation provided in
26 Item (A) of Section 4 of Act 385 of 2001, for maintenance and construction
27 and renovation of Old State House Museum, in a sum not to exceed ...\$500,000.

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29 SECTION 12. REAPPROPRIATION - CONSERVATION TAX PROJECTS. There is hereby
30 appropriated, to the Department of Arkansas Heritage, to be payable from the
31 Arkansas Department of Heritage Fund Account, for the Department of Arkansas
32 Heritage, the following:

33 (A) Effective July 1, 2003, the balance of the appropriation provided in
34 Item (A) of Section 3 of Act 121 of 2001 and Section 5 of Act 1102 of 2001,
35 for Department of Arkansas Heritage museum/facility construction, in a sum
36 not to exceed\$2,799,761.

1 (B) Effective July 1, 2003, the balance of the appropriation provided in
2 Item (B) of Section 3 of Act 121 of 2001 and Section 5 of Act 1102 of 2001,
3 for Special Maintenance, in a sum not to exceed\$1,430,688.
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5 SECTION 13. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
6 obligations otherwise incurred in relation to the project or projects
7 described herein in excess of the State Treasury funds actually available
8 therefor as provided by law. Provided, however, that institutions and
9 agencies listed herein shall have the authority to accept and use grants and
10 donations including Federal funds, and to use its unobligated cash income or
11 funds, or both available to it, for the purpose of supplementing the State
12 Treasury funds for financing the entire costs of the project or projects
13 enumerated herein. Provided further, that the appropriations and funds
14 otherwise provided by the General Assembly for Maintenance and General
15 Operations of the agency or institutions receiving appropriation herein shall
16 not be used for any of the purposes as appropriated in this act.

17 (B) The restrictions of any applicable provisions of the State Purchasing
18 Law, the General Accounting and Budgetary Procedures Law, the Revenue
19 Stabilization Law and any other applicable fiscal control laws of this State
20 and regulations promulgated by the Department of Finance and Administration,
21 as authorized by law, shall be strictly complied with in disbursement of any
22 funds provided by this act unless specifically provided otherwise by law.
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24 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General Assembly
25 that any funds disbursed under the authority of the appropriations contained
26 in this act shall be in compliance with the stated reasons for which this act
27 was adopted, as evidenced by the Agency Requests, Executive Recommendations
28 and Legislative Recommendations contained in the budget manuals prepared by
29 the Department of Finance and Administration, letters, or summarized oral
30 testimony in the official minutes of the Arkansas Legislative Council or
31 Joint Budget Committee which relate to its passage and adoption.
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33 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General
34 Assembly, that the Constitution of the State of Arkansas prohibits the
35 appropriation of funds for more than a two (2) year period; that previous
36 General Assemblies have provided appropriations for the projects provided or

1 enumerated in this act; that certain appropriations will expire before the
2 adjournment of the General Assembly; and that if such appropriations expire,
3 the projects and programs authorized herein will cease thereby depriving the
4 citizens of the State of the benefits to be derived from such projects.
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 the date of its
8 passage and approval. If the bill is neither approved nor vetoed by the
9 Governor, it shall become effective on the expiration of the period of time
10 during which the Governor may veto the bill. If the bill is vetoed by the
11 Governor and the veto is overridden, it shall become effective on the date
12 the last house overrides the veto.

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/s/ Joint Budget Committee

APPROVED: 4/3/2003