

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.
Act 112 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1304

5 By: Joint Budget Committee
6
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For An Act To Be Entitled

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

14 AN ACT FOR THE DEPARTMENT OF PARKS AND
15 TOURISM 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 - STATE PARKS - FEDERAL. There is hereby
22 appropriated, to the Department of Parks and Tourism, to be payable from the
23 federal funds as designated by the Chief Fiscal Officer of the State, for the
24 Department of Parks and Tourism, the following:

25 (A) Effective July 1, 2009, the balance of the appropriation provided in
26 Item (A) of Section 2 of Act 1141 of 2007, for funding to begin construction
27 of facilities planned to support the establishment of the Mississippi River
28 State Park, in a sum not to exceed\$280,800.

29 (B) Effective July 1, 2009, the balance of the appropriation provided in
30 Item (B) of Section 2 of Act 1141 of 2007, for funding to design, construct,
31 repair and renovate Airport Infrastructure at the Petit Jean State Park
32 Airport, in a sum not to exceed\$706,448.
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34 SECTION 2. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
35 appropriated, to the Department of Parks and Tourism, to be payable from the



1 General Improvement Fund or its successor fund or fund accounts, for the
2 Department of Parks and Tourism, the following:

3 (A) Effective July 1, 2009, the balance of the appropriation provided in
4 Item (A) of Section 1 of Act 1141 of 2007, for the purchase of computer
5 servers and the replacement of an offset printing press, in a sum not to
6 exceed\$84,474.

7 (B) Effective July 1, 2009, the balance of the appropriation provided in
8 Item (B) of Section 1 of Act 1141 of 2007, for various maintenance,
9 renovation, equipping, construction, acquisition, improvement, upgrade, and
10 repair projects for Park facilities, in a sum not to exceed\$2,000,000.

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12 SECTION 3. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
13 appropriated, to the Department of Parks and Tourism, to be payable from the
14 General Improvement Fund or its successor fund or fund accounts, for the
15 Department of Parks and Tourism, the following:

16 (A) Effective July 1, 2009, the balance of the appropriation provided in
17 Item (B) of Section 1 of Act 446 of 2007, for various maintenance,
18 renovation, equipping, construction, improvement, upgrade, and repair
19 projects for Park facilities, in a sum not to exceed\$258,600.

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21 SECTION 4. REAPPROPRIATION - CONSERVATION TAX - CONSTRUCTION. There is
22 hereby appropriated, to the Department of Parks and Tourism, to be payable
23 from the Department of Parks and Tourism Fund Account, for the Department of
24 Parks and Tourism, the following:

25 (A) Effective July 1, 2009, the balance of the appropriation provided in
26 Item (A) of Section 3 of Act 446 of 2007 and Item (5) of Section 6 of Act
27 1227 of 2007, for construction projects at various parks system-wide, in a
28 sum not to exceed\$13,324,166.

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30 SECTION 5. REAPPROPRIATION - CONSERVATION TAX - CONSTRUCTION. There is
31 hereby appropriated, to the Department of Parks and Tourism, to be payable
32 from the Department of Parks and Tourism Fund Account, for the Department of
33 Parks and Tourism, the following:

34 (A) Effective July 1, 2009, the balance of the appropriation provided in
35 Item (A) of Section 3 of Act 446 of 2007 of Item (5) of Section 6 of Act 1227
36 of 2007, for construction projects at various parks system-wide, in a sum not

1 to exceed\$11,159,288.

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3 SECTION 6. REAPPROPRIATION - MAINTENANCE PROJECTS. There is hereby
4 appropriated, to the Department of Parks and Tourism, to be payable from the
5 Department of Parks and Tourism Fund Account, for the Department of Parks and
6 Tourism, the following:

7 (A) Effective July 1, 2009, the balance of the appropriation provided in
8 Item (B) of Section 3 of Act 446 of 2007 and Item (06) of Section 6 of Act
9 1227 of 2007, for special maintenance projects at various parks system-wide,
10 in a sum not to exceed\$1,425,936.

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12 SECTION 7. REAPPROPRIATION - U.S. MARSHAL MUSEUM. There is hereby
13 appropriated, to the Department of Parks and Tourism, to be payable from the
14 General Improvement Fund or its successor fund or fund accounts, for the
15 Department of Parks and Tourism, the following:

16 (A) Effective July 1, 2009, the balance of the appropriation provided in
17 Item (A) of Section 1 of Act 893 of 2007, for planning, construction, and
18 development of a National U.S. Marshal Museum in Fort Smith, Arkansas, in a
19 sum not to exceed.....\$22,800,000.

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21 SECTION 8. REAPPROPRIATION - OPERATIONS AND CONSTRUCTION - CASH FUNDS.
22 There is hereby appropriated, to the Department of Parks and Tourism, to be
23 payable from the cash fund deposited in the State Treasury as determined by
24 the Chief Fiscal Officer of the State, for the Department of Parks and
25 Tourism, the following:

26 (A) Effective July 1, 2009, the balance of the appropriation provided in
27 Item (A) of Section 4 of Act 446 of 2007, for construction, in a sum not to
28 exceed\$132,842.

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30 SECTION 9. REAPPROPRIATION - NATURAL RESOURCES MUSEUM GRANT. There is
31 hereby appropriated, to the Department of Parks and Tourism, to be payable
32 from the General Improvement Fund or its successor fund or fund accounts, for
33 the Department of Parks and Tourism, the following:

34 (A) Effective July 1, 2009, the balance of the appropriation provided in
35 Item (B) of Section 1 of Act 1697 of 2007, for a grant to natural resources
36 museums in Arkansas, in a sum not to exceed\$20,000.

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SECTION 10. REAPPROPRIATION - ARKANSAS STATE PARK IMPROVEMENTS. There is hereby appropriated, to the Department of Parks and Tourism, to be payable from the Arkansas Natural and Cultural Resources Grant and Trust Fund, for the Department of Parks and Tourism, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (1) of Section 30 of Act 793 of 2007, for extra help for construction of the Cossatot River Trail Corridor, in a sum not to exceed\$38,401.

(B) Effective July 1, 2009, the balance of the appropriation provided in Item (1) of Section 30 of Act 793 of 2007, for payroll matching for the Cossatot River Trail Corridor project, in a sum not to exceed\$10,430.

(C) Effective July 1, 2009, the balance of the appropriation provided in Item (1) of Section 30 of Act 793 of 2007, for construction for 21 state park projects in various stages of design, construction, renovation and land acquisition, in a sum not to exceed\$8,044,107.

SECTION 11. REAPPROPRIATION - ATTRACTING RETIREES. There is hereby appropriated, to the Department of Parks and Tourism, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Parks and Tourism, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Section 24 of Act 1227 of 2007, for the purpose of attracting retirees to the State of Arkansas, in a sum not to exceed\$500,000.

SECTION 12. REAPPROPRIATION - AMPHITHEATER. There is hereby appropriated, to the Department of Parks and Tourism, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Parks and Tourism, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 27 of Act 1227 of 2007, for the constructing and equipping of an Amphitheater, in a sum not to exceed\$125,000.

SECTION 13. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that institutions and

1 agencies listed herein shall have the authority to accept and use grants and
 2 donations including Federal funds, and to use its unobligated cash income or
 3 funds, or both available to it, for the purpose of supplementing the State
 4 Treasury funds for financing the entire costs of the project or projects
 5 enumerated herein. Provided further, that the appropriations and funds
 6 otherwise provided by the General Assembly for Maintenance and General
 7 Operations of the agency or institutions receiving appropriation herein shall
 8 not be used for any of the purposes as appropriated in this act.

9 (B) The restrictions of any applicable provisions of the State Purchasing
 10 Law, the General Accounting and Budgetary Procedures Law, the Revenue
 11 Stabilization Law and any other applicable fiscal control laws of this State
 12 and regulations promulgated by the Department of Finance and Administration,
 13 as authorized by law, shall be strictly complied with in disbursement of any
 14 funds provided by this act unless specifically provided otherwise by law.

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

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 25 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General
 26 Assembly, that the Constitution of the State of Arkansas prohibits the
 27 appropriation of funds for more than a one (1) year period; that the
 28 effectiveness of this Act on July 1, 2009 is essential to the operation of
 29 the agency for which the appropriations in this Act are provided, and that in
 30 the event of an extension of the Regular Session, the delay in the effective
 31 date of this Act beyond July 1, 2009 could work irreparable harm upon the
 32 proper administration and provision of essential governmental programs.
 33 Therefore, an emergency is hereby declared to exist and this Act being
 34 necessary for the immediate preservation of the public peace, health and
 35 safety shall be in full force and effect from and after July 1, 2009.

36 APPROVED: 2/12/2009