

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: S2/25/97 S3/6/97

A Bill

ACT 561 OF 1997
SENATE BILL 284

5 By: *Joint Budget Committee*
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
10 FINANCE AND ADMINISTRATION TO BE USED IN MAKING GRANTS, ON
11 A MATCHING BASIS, FOR THE CONSTRUCTION OF AN AIR PARK
12 MUSEUM FOR THE PRESERVATION AND DISPLAY OF MILITARY
13 AIRCRAFT AND ARTIFACTS OF HISTORICAL AND MILITARY
14 SIGNIFICANCE, FOR THE BIENNIAL PERIOD ENDING JUNE 30,
15 1999; AND FOR OTHER PURPOSES."

Subtitle

16
17
18 "AN ACT FOR MATCHING GRANTS FOR AN AIR
19 PARK MUSEUM FOR THE DEPARTMENT OF
20 FINANCE AND ADMINISTRATION - DISBURSING
21 OFFICER CAPITAL IMPROVEMENT
22 APPROPRIATION."
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. PURPOSE. The General Assembly is cognizant of the
27 significant role that Little Rock Air Force Base has played in the economic
28 development and growth of this state and of the many contributions that the
29 base and its personnel have made to this state and nation. The Little Rock
30 Air Force Base Historical Foundation, Inc., a private non-profit corporation,
31 has been founded to provide for the construction and operation of an air park
32 museum at a site adjacent to the Little Rock Air Force Base for the
33 preservation and display of military aircraft and artifacts of historical and
34 military significance, and of the role that Arkansas has played in the
35 aviation efforts for the national defense. The General Assembly hereby
36 determines that the development of an Air Park Museum at the Little Rock Air

1 Force Base would make available to this and future generations a living
2 memorial to the history and development of military aviation in this state,
3 and the providing of the aforementioned facilities would serve a public
4 purpose. Therefore, the funds appropriated in this act are intended to assist
5 in the development of such facilities for the benefit of the people of this
6 state and to contribute to education, tourism and the economic development of
7 the state that would result therefrom.

8

9 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
10 Department of Finance and Administration - Disbursing Officer, to be payable
11 from the General Improvement Fund or its successor fund or fund accounts, the
12 following:

13 (A) For a Grant to the Little Rock Air Force Base Historical Foundation,
14 Inc., a private non-profit corporation, on a dollar per dollar matching basis,
15 to be used for the construction of an Air Park Museum for the preservation and
16 display of military aircraft and artifacts of historical and military
17 significance, as provided herein, to be open to the public, the sum
18 of.....\$300,000.

19 (B) For purchase of property easements surrounding Little Rock Air
20 Force Base Drop Zones, the sum of\$300,000.

21

22 SECTION 3. SPECIAL LANGUAGE. AIR PARK MUSEUM RESTRICTIONS. The funds
23 appropriated under Item (A) of Section 2 of this act shall not be disbursed
24 until all of the following conditions are met:

25 (a) The Little Rock Air Force Base Historical Foundation, Inc. has
26 submitted plans to the Governor for the construction and operation of an Air
27 Park Museum to be used for the preservation and display of military aircraft
28 and artifacts of historical and military significance, to be open to the
29 public, and to be located on land adjacent to the Little Rock Air Force Base.
30 Such facility shall be called the Little Rock Air Force Base Air Park Museum
31 or Arkansas Air Park Museum and the lands therefor shall be located adjacent
32 to the Little Rock Air Force Base and shall be owned by the Foundation. No
33 state funds appropriated in this act shall be used for payment thereof.

34 (b) Funds and assets having a total value of three hundred thousand
35 dollars (\$300,000) have been raised by the Foundation from private, local or

1 other sources and monies appropriated in this act shall not be made available
2 to the Foundation for the purposes of this act except on a dollar per dollar
3 matching basis after the entire three hundred thousand dollars in assets has
4 been obtained by the Foundation.

5 (c) The Governor has reviewed and approved the aforementioned plans and
6 has certified to the Director of the Department of Finance and Administration
7 his approval, whereupon, the Director of the Department of Finance and
8 Administration shall, upon certification of the Foundation that all of the
9 aforementioned conditions have been met, disburse the funds provided in this
10 act whenever the same shall become available, in the manner provided by law.

11

12 SECTION 4. If any funds are expended from Item (A) herein, no funds may
13 be used for Item (B) herein. If any funds are expended from Item (B) herein,
14 no funds may be used for Item (A) herein.

15

16 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
17 obligations otherwise incurred in relation to the project or projects
18 described herein in excess of the State Treasury funds actually available
19 therefor as provided by law. Provided, however, that institutions and
20 agencies listed herein shall have the authority to accept and use grants and
21 donations including Federal funds, and to use its unobligated cash income or
22 funds, or both available to it, for the purpose of supplementing the State
23 Treasury funds for financing the entire costs of the project or projects
24 enumerated herein. Provided further, that the appropriations and funds
25 otherwise provided by the General Assembly for Maintenance and General
26 Operations of the agency or institutions receiving appropriation herein shall
27 not be used for any of the purposes as appropriated in this Act.

28 (B) The restrictions of any applicable provisions of the State
29 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
30 Revenue Stabilization Law and any other applicable fiscal control laws of this
31 State and regulations promulgated by the Department of Finance and
32 Administration, as authorized by law, shall be strictly complied with in
33 disbursement of any funds provided by this Act unless specifically provided
34 otherwise by law.

35

1 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
2 Assembly that any funds disbursed under the authority of the appropriations
3 contained in this Act shall be in compliance with the stated reasons for which
4 this Act was adopted, as evidenced by the Agency Requests, Executive
5 Recommendations and Legislative Recommendations contained in the budget
6 manuals prepared by the Department of Finance and Administration, letters, or
7 summarized oral testimony in the official minutes of the Arkansas Legislative
8 Council or Joint Budget Committee which relate to its passage and adoption.

9

10 SECTION 7. CODE. All provisions of this Act of a general and permanent
11 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
12 Code Revision Commission shall incorporate the same in the Code.

13

14 SECTION 8. SEVERABILITY. If any provision of this Act or the
15 application thereof to any person or circumstance is held invalid, such
16 invalidity shall not affect other provisions or applications of the Act which
17 can be given effect without the invalid provision or application, and to this
18 end the provisions of this Act are declared to be severable.

19

20 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
21 with this Act are hereby repealed.

22

23 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
24 Eighty-First General Assembly, that the Constitution of the State of Arkansas
25 prohibits the appropriation of funds for more than a two (2) year period; that
26 the effectiveness of this Act on July 1, 1997 is essential to the operation of
27 the agency for which the appropriations in this Act are provided, and that in
28 the event of an extension of the Regular Session, the delay in the effective
29 date of this Act beyond July 1, 1997 could work irreparable harm upon the
30 proper administration and provision of essential governmental programs.
31 Therefore, an emergency is hereby declared to exist and this Act being
32 necessary for the immediate preservation of the public peace, health and
33 safety shall be in full force and effect from and after July 1, 1997.

34

/s/Gwatney

35

1

APPROVED: 3-17-97

2