

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 214 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

HOUSE BILL 1437

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 - TRUST FUNDS. There is hereby appropriated, to
22 the Department of Parks and Tourism, to be payable from the Arkansas Natural
23 and Cultural Resources Grant and Trust Fund, for the Department of Parks and
24 Tourism, the following:

25 (A) Effective July 1, 2005, the balance of the appropriation provided in
26 Section 24 of Act 1605 of 2003, for improvements and park maintenance
27 projects, in a sum not to exceed\$4,592,500.
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29 SECTION 2. REAPPROPRIATION - CONSERVATION TAX. There is hereby
30 appropriated, to the Department of Parks and Tourism, to be payable from the
31 Department of Parks and Tourism Fund Account, for the Department of Parks and
32 Tourism, the following:

33 (A) Effective July 1, 2005, the balance of the appropriation provided in
34 Item (5) of Section 6 of Act 31 of the First Extraordinary Session of 2003,
35 for construction, in a sum not to exceed\$19,411,738.



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(B) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 4 of Act 1576 of 2003, for construction, in a sum not to exceed\$34,137,640.

(C) Effective July 1, 2005, the balance of the appropriation provided in Item (6) of Section 6 of Act 31 of the First Extraordinary Session of 2003, for special maintenance, in a sum not to exceed\$1,952,691.

SECTION 3. REAPPROPRIATION - FEDERAL FUNDS. There is hereby appropriated, to the Department of Parks and Tourism, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for the Department of Parks and Tourism, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 1576 of 2003, for construction and renovation projects for buildings, grounds and equipment at various state parks, in a sum not to exceed\$253,523.

SECTION 4. REAPPROPRIATION - CASH FUNDS. There is hereby appropriated, to the Department of Parks and Tourism, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for the Department of Parks and Tourism, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 3 of Act 1576 of 2003, for construction, in a sum not to exceed\$153,619.

(B) Effective July 1, 2005, the balance of the appropriation provided in Item (5) of Section 17 of Act 31 of the First Extraordinary Session of 2003, for construction, in a sum not to exceed\$153,619.

SECTION 5. 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 agencies listed herein shall have the authority to accept and use grants and donations including Federal funds, and to use its unobligated cash income or

1 funds, or both available to it, for the purpose of supplementing the State
 2 Treasury funds for financing the entire costs of the project or projects
 3 enumerated herein. Provided further, that the appropriations and funds
 4 otherwise provided by the General Assembly for Maintenance and General
 5 Operations of the agency or institutions receiving appropriation herein shall
 6 not be used for any of the purposes as appropriated in this act.

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

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 14 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
 15 that any funds disbursed under the authority of the appropriations contained
 16 in this act shall be in compliance with the stated reasons for which this act
 17 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 18 and Legislative Recommendations contained in the budget manuals prepared by
 19 the Department of Finance and Administration, letters, or summarized oral
 20 testimony in the official minutes of the Arkansas Legislative Council or
 21 Joint Budget Committee which relate to its passage and adoption.

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 23 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
 24 Assembly, that the Constitution of the State of Arkansas prohibits the
 25 appropriation of funds for more than a two (2) year period; that previous
 26 General Assemblies have provided appropriations for the projects provided or
 27 enumerated in this act; that certain appropriations will expire before the
 28 adjournment of the General Assembly; and that if such appropriations expire,
 29 the projects and programs authorized herein will cease thereby depriving the
 30 citizens of the State of the benefits to be derived from such projects.
 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 the date of its
 34 passage and approval. If the bill is neither approved nor vetoed by the
 35 Governor, it shall become effective on the expiration of the period of time
 36 during which the Governor may veto the bill. If the bill is vetoed by the

1 Governor and the veto is overridden, it shall become effective on the date
2 the last house overrides the veto.

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APPROVED: 2/17/2005

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