

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 227 of the Regular Session

State of Arkansas  
85th General Assembly  
Regular Session, 2005

A Bill

HOUSE BILL 1511

By: Joint Budget Committee

For An Act To Be Entitled

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

Subtitle

AN ACT FOR THE DEPARTMENT OF ARKANSAS  
HERITAGE REAPPROPRIATION.

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

SECTION 1. REAPPROPRIATION - CENTRAL ADMINISTRATION - DIRECTOR'S OFFICE.

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, 2005, the balance of the appropriation provided in Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition, management, stewardship and preservation of state-owned lands or historic sites by the Department of Arkansas Heritage - Natural and Cultural Resources Council, in a sum not to exceed .....\$37,582.

SECTION 2. REAPPROPRIATION - CONSERVATION TAX PROJECTS - AMENDMENT 75.

There is hereby appropriated, to the Department of Arkansas Heritage, to be payable from the Arkansas Department of Heritage Fund Account, for the Department of Arkansas Heritage, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in



Item (A) of Section 12 of Act 1053 of 2003 and Item (5) of Section 5 of Act 1605 of 2003, for Department of Arkansas Heritage museum/facility construction, in a sum not to exceed.....\$4,436,485.

(B) Effective July 1, 2005, the balance of the appropriation provided in Item (B) of Section 12 of Act 1053 of 2003 and Item (7) of Section 5 of Act 1605 of 2003, for Special Maintenance, in a sum not to exceed .....\$1,740,584.

SECTION 3. REAPPROPRIATION - CENTRAL ADMINISTRATION - GENERAL IMPROVEMENT FUNDS. 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, 2005, the balance of the appropriation provided in Item (B) of Section 11 of Act 1053 of 2003, for major maintenance, renovation and repairs of various facilities within the Department of Arkansas Heritage, in a sum not to exceed .....\$77,850.

(B) Effective July 1, 2005, the balance of the appropriation provided in Item (G) of Section 11 of Act 1053 of 2003, for the construction, purchase and acquisition of materials to build a permanent music stage and for the development of a music sound studio for tourism, education and cultural enrichment and for other costs in Helena, Arkansas, in a sum not to exceed .....\$5,951.

(C) Effective July 1, 2005, the balance of the appropriation provided in Item (H) of Section 11 of Act 1053 of 2003, for renovation of the Mosaic Templars building in Little Rock for the establishment of the Mosaic Templars of America Center for African-American Culture and Development, in a sum not to exceed .....\$7,552.

(D) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 11 of Act 1053 of 2003, for major maintenance, renovation and repairs of various facilities within the Department of Arkansas Heritage, in a sum not to exceed .....\$25,058.

SECTION 4. REAPPROPRIATION - DELTA CULTURAL CENTER - CASH IN TREASURY.

There is hereby appropriated, to the Department of Arkansas Heritage - Delta Cultural Center, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for the

1 Department of Arkansas Heritage - Delta Cultural Center, the following:

2 (A) Effective July 1, 2005, the balance of the appropriation provided in  
3 Item (A) of Section 2 of Act 1053 of 2003, for construction, in a sum not to  
4 exceed .....\$54,496.  
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6 SECTION 5. REAPPROPRIATION - DELTA CULTURAL CENTER. There is hereby  
7 appropriated, to the Department of Arkansas Heritage - Delta Cultural Center,  
8 to be payable from the General Improvement Fund or its successor fund or fund  
9 accounts, for the Department of Arkansas Heritage - Delta Cultural Center,  
10 the following:

11 (A) Effective July 1, 2005, the balance of the appropriation provided in  
12 Item (A) of Section 1 of Act 1053 of 2003, for land purchase for a museum and  
13 research buildings, in a sum not to exceed .....\$10,440.  
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15 SECTION 6. REAPPROPRIATION - DELTA CULTURAL CENTER. There is hereby  
16 appropriated, to the Department of Arkansas Heritage - Delta Cultural Center,  
17 to be payable from the Arkansas Natural and Cultural Resources Grant and  
18 Trust Fund, for the Department of Arkansas Heritage - Delta Cultural Center,  
19 the following:

20 (A) Effective July 1, 2005, the balance of the appropriation provided in  
21 Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition,  
22 management, stewardship and preservation of state-owned lands or historic  
23 sites by the Department of Arkansas Heritage - Natural and Cultural Resources  
24 Council, in a sum not to exceed .....\$250,000.  
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26 SECTION 7. REAPPROPRIATION - MOSAIC TEMPLARS CULTURAL CENTER - CASH IN  
27 TREASURY. There is hereby appropriated, to the Department of Arkansas  
28 Heritage - Mosaic Templars of America Center for African-American Culture and  
29 Business Enterprise, to be payable from the cash fund deposited in the State  
30 Treasury as determined by the Chief Fiscal Officer of the State, for the  
31 Department of Arkansas Heritage - Mosaic Templars of America Center for  
32 African-American Culture and Business Enterprise, the following:

33 (A) Effective July 1, 2005, the balance of the appropriation provided in  
34 Item (1) of Section 33 of Act 50 of the First Extraordinary Session of 2003,  
35 for providing general improvements to the Mosaic Templars of America Cultural  
36 Center, in a sum not to exceed.....\$25,000.

SECTION 8. REAPPROPRIATION - MOSAIC TEMPLARS CULTURAL CENTER. There is hereby appropriated, to the Department of Arkansas Heritage - Mosaic Templars of America Center for African-American Culture and Business Enterprise, to be payable from the Arkansas Natural and Cultural Resources Grant and Trust Fund, for the Department of Arkansas Heritage - Mosaic Templars of America Center for African-American Culture and Business Enterprise, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition, management, stewardship and preservation of state-owned lands or historic sites by the Department of Arkansas Heritage - Natural and Cultural Resources Council, in a sum not to exceed .....\$1,829,918.

SECTION 9. REAPPROPRIATION - MOSAIC TEMPLARS CULTURAL CENTER. There is hereby appropriated, to the Department of Arkansas Heritage - Mosaic Templars of America Center for African-American Culture and Business Enterprise, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Arkansas Heritage - Mosaic Templars of America Center for African-American Culture and Business Enterprise, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 1 of Act 945 of 2003, for renovation of the Mosaic Templars Cultural Center, and planning and installation of permanent and temporary exhibits on the site, in a sum not to exceed .....\$149,966.

SECTION 10. REAPPROPRIATION - OLD STATE HOUSE COMMISSION. There is hereby appropriated, to the Department of Arkansas Heritage - Old State House, to be payable from the Arkansas Natural and Cultural Resources Grant and Trust Fund, for the Department of Arkansas Heritage - Old State House, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition, management, stewardship and preservation of state-owned lands or historic sites by the Department of Arkansas Heritage - Natural and Cultural Resources Council, in a sum not to exceed .....\$450,000.

SECTION 11. REAPPROPRIATION - HISTORIC PRESERVATION. There is hereby appropriated, to the Department of Arkansas Heritage - Historic Preservation, to be payable from the Arkansas Natural and Cultural Resources Grant and Trust Fund, for the Department of Arkansas Heritage - Historic Preservation, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition, management, stewardship and preservation of state-owned lands or historic sites by the Department of Arkansas Heritage - Natural and Cultural Resources Council, in a sum not to exceed .....\$425,000.

SECTION 12. REAPPROPRIATION - NATURAL HERITAGE COMMISSION. There is hereby appropriated, to the Department of Arkansas Heritage - Natural Heritage Commission, to be payable from the Arkansas Natural and Cultural Resources Grant and Trust Fund, for the Department of Arkansas Heritage - Natural Heritage Commission, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition, management, stewardship and preservation of state-owned lands or historic sites by the Department of Arkansas Heritage - Natural and Cultural Resources Council, in a sum not to exceed .....\$750,000.

SECTION 13. REAPPROPRIATION - NATURAL HERITAGE COMMISSION. There is hereby appropriated, to the Department of Arkansas Heritage - Natural Heritage Commission, to be payable from the Arkansas Department of Heritage Fund Account, for the Department of Arkansas Heritage - Natural Heritage Commission, the following:

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (A) of Section 8 of Act 1053 of 2003 and Item (A) of Section 20 of Act 1605 of 2003, for the System of Natural Areas: Land acquisition, Public Access and Inventory capital project of the Department of Arkansas Heritage, in a sum not to exceed .....\$155,000.

SECTION 14. REAPPROPRIATION - HISTORIC ARKANSAS MUSEUM . There is hereby appropriated, to the Department of Arkansas Heritage - Historic Arkansas Museum, to be payable from the Arkansas Natural and Cultural Resources Grant

1 and Trust Fund, for the Department of Arkansas Heritage - Historic Arkansas  
2 Museum, the following:

3 (A) Effective July 1, 2005, the balance of the appropriation provided in  
4 Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition,  
5 management, stewardship and preservation of state-owned lands or historic  
6 sites by the Natural and Cultural Resources Council of the Department of  
7 Arkansas Heritage, in a sum not to exceed .....\$450,000.  
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9 SECTION 15. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
10 obligations otherwise incurred in relation to the project or projects  
11 described herein in excess of the State Treasury funds actually available  
12 therefor as provided by law. Provided, however, that institutions and  
13 agencies listed herein shall have the authority to accept and use grants and  
14 donations including Federal funds, and to use its unobligated cash income or  
15 funds, or both available to it, for the purpose of supplementing the State  
16 Treasury funds for financing the entire costs of the project or projects  
17 enumerated herein. Provided further, that the appropriations and funds  
18 otherwise provided by the General Assembly for Maintenance and General  
19 Operations of the agency or institutions receiving appropriation herein shall  
20 not be used for any of the purposes as appropriated in this act.

21 (B) The restrictions of any applicable provisions of the State Purchasing  
22 Law, the General Accounting and Budgetary Procedures Law, the Revenue  
23 Stabilization Law and any other applicable fiscal control laws of this State  
24 and regulations promulgated by the Department of Finance and Administration,  
25 as authorized by law, shall be strictly complied with in disbursement of any  
26 funds provided by this act unless specifically provided otherwise by law.  
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28 SECTION 16. LEGISLATIVE INTENT. It is the intent of the General Assembly  
29 that any funds disbursed under the authority of the appropriations contained  
30 in this act shall be in compliance with the stated reasons for which this act  
31 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
32 and Legislative Recommendations contained in the budget manuals prepared by  
33 the Department of Finance and Administration, letters, or summarized oral  
34 testimony in the official minutes of the Arkansas Legislative Council or  
35 Joint Budget Committee which relate to its passage and adoption.  
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1        SECTION 17. EMERGENCY CLAUSE. It is found and determined by the General  
2 Assembly, that the Constitution of the State of Arkansas prohibits the  
3 appropriation of funds for more than a two (2) year period; that previous  
4 General Assemblies have provided appropriations for the projects provided or  
5 enumerated in this act; that certain appropriations will expire before the  
6 adjournment of the General Assembly; and that if such appropriations expire,  
7 the projects and programs authorized herein will cease thereby depriving the  
8 citizens of the State of the benefits to be derived from such projects.  
9 Therefore, an emergency is hereby declared to exist and this Act being  
10 necessary for the immediate preservation of the public peace, health and  
11 safety shall be in full force and effect from and after the date of its  
12 passage and approval. If the bill is neither approved nor vetoed by the  
13 Governor, it shall become effective on the expiration of the period of time  
14 during which the Governor may veto the bill. If the bill is vetoed by the  
15 Governor and the veto is overridden, it shall become effective on the date  
16 the last house overrides the veto.

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