

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**
5
6

A Bill

HOUSE BILL

For An Act To Be Entitled

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

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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14 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
15 appropriated, to the Department of Parks and Tourism - General Improvement, to
16 be payable from the General Improvement Fund or its successor fund or fund
17 accounts, for the Department of Parks and Tourism - General Improvement, the
18 following:

19 (A) Effective July 1, 1991, the balance of the appropriation provided
20 in Item (B) of Section 1 of Act 283 of the First Extraordinary Session of
21 1989, for construction, renovation, major maintenance and improvements to the
22 Crater of Diamonds State Park, in a sum not to exceed\$60,000.
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24 (B) Effective July 1, 1991, the balance of the appropriation provided
25 in Item (C) of Section 1 of Act 283 of the First Extraordinary Session of
26 1989, for purchase of equipment and costs associated with repairs, renovation
27 and maintenance at White Oak Lake State Park, in a sum not to exceed \$65,839.
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29 (C) Effective July 1, 1991, the balance of the appropriation provided
30 in Item (D) of Section 1 of Act 283 of the First Extraordinary Session of
31 1989, for construction, renovation, repairs and major maintenance at Old
32 Washington State Park, in a sum not to exceed\$217,443.
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34 (D) Effective July 1, 1991, the balance of the appropriation provided
35 in Item (E) of Section 1 of Act 283 of the First Extraordinary Session of

1 1989, for construction, renovation and repairs at Jacksonport State Park, in a
2 sum not to exceed \$94,056.

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4 (E) Effective July 1, 1991, the balance of the appropriation provided
5 in Item (F) of Section 1 of Act 283 of the First Extraordinary Session of
6 1989, for construction, major maintenance and repairs of existing state parks,
7 in a sum not to exceed \$382,247.

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9 (F) Effective July 1, 1991, the balance of the appropriation provided
10 in Item (I) of Section 1 of Act 283 of the First Extraordinary Session of
11 1989, for remodeling of restrooms at the amphitheater sewage lift station of
12 the Prairie Grove Battlefield Park, in a sum not to exceed \$64,075.

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14 (G) Effective July 1, 1991, the balance of the appropriation provided
15 in Item (G) of Section 1 of Act 283 of the First Extraordinary Session of
16 1989, for construction, repairs, renovation and major maintenance costs at
17 Lake Ouachita State Park, in a sum not to exceed \$204,808.

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19 (H) Effective July 1, 1991, the balance of the appropriation provided
20 in Item (H) of Section 1 of Act 283 of the First Extraordinary Session of
21 1989, for engineering, survey and environmental impact statement for Mount
22 Magazine State Park, in a sum not to exceed \$100,000.

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24 (I) Effective July 1, 1991, the balance of the appropriation provided
25 in Item (J) of Section 1 of Act 283 of the First Extraordinary Session of
26 1989, for construction, major maintenance, renovation and repairs at Parkin
27 Indian Mound State Park, in a sum not to exceed \$930,000.

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29 (J) Effective July 1, 1991, the balance of the appropriation provided
30 in Item (R) of Section 1 of Act 283 of the First Extraordinary Session of
31 1989, for collection management facilities at the Scott Agriculture Museum, in
32 a sum not to exceed \$343,000.

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34 (K) Effective June 30, 1991, the balance of the appropriation provided
35 in Item (C) of Section 1 of Act 58 of the First Extraordinary Session of 1989,

1 for the cost share relocation of a substation near the Visitor Information
 2 Center and removal of overhead power lines and/or for renovation and equipping
 3 a hydroelectric facility to be used as an interpretative/research project at
 4 Mammoth Springs State Park, in a sum not to exceed\$22,850.

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 6 (L) Effective June 30, 1991, the balance of the appropriation provided
 7 in Item (F) of Section 1 of Act 58 of the First Extraordinary Session of 1989,
 8 for constructing and equipping roadways, a visitor information center, a
 9 bathhouse, a restroom/pavilion, campsites, maintenance facilities and a sewer
 10 system at Cane Creek State Park, in a sum not to exceed\$380,000.
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12 SECTION 2. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to
 13 the Department of Parks and Tourism, to be payable from the federal funds as
 14 designated by the Chief Fiscal Officer of the State, for the Department of
 15 Parks and Tourism - Federal, the following:

16 (A) Effective June 30, 1991, the balance of the appropriation provided
 17 in Item (A) of Section 2 of Act 58 of the First Extraordinary Session of 1989,
 18 for construction, renovating, improving, acquiring real and personal property
 19 and for other purposes at various state parks, in a sum not to exceed
 20 \$140,776.
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22 (B) Effective April 15, 1991, the balance of the appropriation provided
 23 in Item (B) of Section 2 of Act 58 of the First Extraordinary Session of 1989,
 24 for constructing, renovating, repairing, improving, acquiring real and
 25 personal properties and for such other purposes as may be required for making
 26 available recreational facilities for the citizens of Arkansas, by the
 27 Department of Parks and Tourism, in a sum not to exceed\$44,463.
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29 (C) Effective June 30, 1991, the balance of the appropriation provided
 30 in Item (C) of Section 2 of Act 58 of the First Extraordinary Session of 1989,
 31 for constructing and equipping roadways, a visitor information center, a
 32 bathhouse, a restroom/pavilion, campsites, maintenance facilities, and a sewer
 33 system at Cane Creek State Park, in a sum not to exceed\$743,000.
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35 SECTION 3. REAPPROPRIATION - CASH. There is hereby appropriated, to the

1 Department of Parks and Tourism, to be payable from the Mount Nebo Land Sales
2 Cash Fund, for the Department of Parks and Tourism , the following:

3 (A) Effective June 30, 1991, the balance of the appropriation provided
4 in Item (A) of Section 3 of Act 58 of the First Extraordinary Session of 1989,
5 for investment of fund balances from the Mount Nebo Land Sales Fund Account,
6 in a sum not to exceed \$300,000.

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8 (B) Effective July 1, 1991, the balance of the appropriation provided
9 in Item (A) of Section 3 of Act 283 of the First Extraordinary Session of
10 1989, for construction, major maintenance and repair of existing state parks,
11 in a sum not to exceed \$249,426.

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13 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the
14 Department of Parks and Tourism, to be payable from cash funds as defined by
15 Arkansas Code 19-4-801 of the Department of Parks and Tourism, for various
16 construction projects, in a sum not to exceed \$24,160.

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18 SECTION 5. REAPPROPRIATION - REVENUE BONDS. There is hereby
19 appropriated, to the Department of Parks and Tourism, to be payable from the
20 Revenue Bonds issued under the authority of Arkansas Code 22-4-302 et. seq.,
21 for the Department of Parks and Tourism, the following:

22 (A) Effective April 9, 1991, the balance of the appropriation provided
23 in Item (A) of Section 5 of Act 58 of the First Extraordinary Session of 1989
24 and Section 1 of Act 215 of the First Extraordinary Session of 1989, for land
25 purchases and various construction and improvement projects for Mount Nebo
26 State Park, in a sum not to exceed \$313,516.

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28 SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
29 obligations otherwise incurred in relation to the project or projects
30 described herein in excess of the State Treasury funds actually available
31 therefor as provided by law. Provided, however, that institutions and
32 agencies listed herein shall have the authority to accept and use grants and
33 donations including Federal funds, and to use its unobligated cash income or
34 funds, or both available to it, for the purpose of supplementing the State
35 Treasury funds for financing the entire costs of the project or projects

1 enumerated herein. Provided further, that the appropriations and funds
2 otherwise provided by the General Assembly for Maintenance and General
3 Operations of the agency or institutions receiving appropriation herein shall
4 not be used for any of the purposes as appropriated in this Act.

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

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

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23 SECTION 8. CODE. All provisions of this Act of a general and permanent
24 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
25 Code Revision Commission shall incorporate the same in the Code.

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27 SECTION 9. SEVERABILITY. If any provision of this Act or the
28 application thereof to any person or circumstance is held invalid, such
29 invalidity shall not affect other provisions or applications of the Act which
30 can be given effect without the invalid provision or application, and to this
31 end the provisions of this Act are declared to be severable.

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33 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict
34 with this Act are hereby repealed.

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1 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
2 Seventy-Eighth General Assembly, that the Constitution of the State of
3 Arkansas prohibits the appropriation of funds for more than a two (2) year
4 period; that previous General Assemblies have provided appropriations for the
5 projects provided enumerated in this act; that certain appropriations will
6 expire before the adjournment of the General Assembly; and that if such
7 appropriations expire, the projects and programs authorized herein will cease
8 thereby depriving the citizens of the State of the benefits to be derived from
9 such projects. Therefore, an emergency is hereby declared to exist and this
10 Act being necessary for the immediate preservation of the public peace, health
11 and safety shall be in full force and effect from and after the date of its
12 passage and approval.

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