

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

HOUSE BILL 1709

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."

Subtitle

13 "AN ACT FOR THE DEPARTMENT OF PARKS AND TOURISM
14 REAPPROPRIATION."

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

18 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
19 appropriated, to the Department of Parks and Tourism, to be payable from the
20 General Improvement Fund or its successor fund or fund accounts, for the
21 Department of Parks and Tourism, the following:

22 (A) Effective June 30, 1993, the balance of the appropriation provided
23 in Item (K) of Section 1 of Act 493 of 1991, for the cost share relocation of
24 a substation near the Visitor Information Center and removal of overhead power
25 lines and/or for renovation and equipping a hydroelectric facility to be used
26 as an interpretative/research project at Mammoth Springs State Park, in a sum
27 not to exceed \$15,000.

29 (B) Effective July 1, 1993, the balance of the appropriation provided
30 in Item (G) of Section 1 of Act 493 of 1991, for construction, repairs,
31 renovation and major maintenance costs at Lake Ouachita State Park, in a sum
32 not to exceed \$10,000.

34 (C) Effective July 1, 1993, the balance of the appropriation provided
35 in Item (H) of Section 1 of Act 493 of 1991, for engineering, survey and

1 environmental impact statement for Mount Magazine State Park, in a sum not to
2 exceed \$9,000.

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4 (D) Effective July 1, 1993, the balance of the appropriation provided
5 in Item (I) of Section 1 of Act 493 of 1991, for construction, major
6 maintenance, renovation and repairs at Parkin Indian Mound State Park, in a
7 sum not to exceed \$100,000.

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9 (E) Effective July 1, 1993, the balance of the appropriation provided
10 in Item (J) of Section 1 of Act 493 of 1991, for collection management
11 facilities at the Scott Agriculture Museum, in a sum not to exceed . . \$10,000.

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13 (F) Effective July 1, 1993, the balance of the appropriation provided
14 in Item (S) of Section 1 of Act 1212 of 1991, for construction of a twenty-
15 boat slip covered marina and service building, utilities, furnishings, and
16 equipment, rip rap one quarter mile of eroded river bank, architect/
17 engineering fee and contingency at Moro Bay State Park, in a sum not to exceed
18 \$161,541.

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20 SECTION 2. REAPPROPRIATION - CASH. There is hereby appropriated, to
21 the Department of Parks and Tourism, to be payable from the cash funds as
22 defined by Arkansas Code 19-4-801 of the Department of Parks and Tourism, the
23 following:

24 (A) Effective July 1, 1993, the balance of the appropriation provided
25 in Section 4 of Act 493 of 1991, for various construction projects, in a sum
26 not to exceed \$8,000.

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

32 (A) Effective June 30, 1993, the balance of the appropriation provided
33 in Item (A) of Section 2 of Act 493 of 1991, for construction, renovation,
34 improving, acquiring real and personal property and for other purposes at
35 various state parks, in a sum not to exceed \$50,000.

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2 (B) Effective April 15, 1993, the balance of the appropriation provided
3 in Item (B) of Section 2 of Act 493 of 1991, for constructing, renovating,
4 repairing, improving, acquiring real and personal properties and for such
5 other purposes as may be required for making available recreational facilities
6 for the citizens of Arkansas, by the Department of Parks and Tourism, in a sum
7 not to exceed \$44,000.

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9 (C) Effective June 30, 1993, the balance of the appropriation provided
10 in Item (C) of Section 2 of Act 493 of 1991, for constructing and equipping
11 roadways, a visitor information center, a bathhouse, a restroom/pavilion,
12 campsites, maintenance facilities, and a sewer system at Cane Creek State
13 Park, in a sum not to exceed \$31,000.

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15 SECTION 4. REAPPROPRIATION - REVENUE BONDS. There is hereby
16 appropriated, to the Department of Parks and Tourism, to be payable from the
17 cash funds of the Department of Parks and Tourism as defined by Arkansas Code
18 19-4-801 from the Revenue Bonds issued under the authority of Arkansas Code
19 22-4-302 et. seq., for the Department of Parks and Tourism, the following:

20 (A) Effective April 9, 1993, the balance of the appropriation provided
21 in Item (A) of Section 5 of Act 493 of 1991, for land purchases and various
22 construction and improvement projects for Mount Nebo State Park, in a sum not
23 to exceed \$164,214.

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25 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
26 obligations otherwise incurred in relation to the project or projects
27 described herein in excess of the State Treasury funds actually available
28 therefor as provided by law. Provided, however, that institutions and
29 agencies listed herein shall have the authority to accept and use grants and
30 donations including Federal funds, and to use its unobligated cash income or
31 funds, or both available to it, for the purpose of supplementing the State
32 Treasury funds for financing the entire costs of the project or projects
33 enumerated herein. Provided further, that the appropriations and funds
34 otherwise provided by the General Assembly for Maintenance and General
35 Operations of the agency or institutions receiving appropriation herein shall

1 not be used for any of the purposes as appropriated in this Act.

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

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

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

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

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

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33 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
34 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
35 prohibits the appropriation of funds for more than a two (2) year period; that

1 previous General Assemblies have provided appropriations for the projects
2 provided enumerated in this act; that certain appropriations will expire
3 before the adjournment of the General Assembly; and that if such
4 appropriations expire, the projects and programs authorized herein will cease
5 thereby depriving the citizens of the State of the benefits to be derived from
6 such projects. Therefore, an emergency is hereby declared to exist and this
7 Act being necessary for the immediate preservation of the public peace, health
8 and safety shall be in full force and effect from and after the date of its
9 passage and approval.

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/s/Edward F. Thicksten

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