

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Rep. Mike Wilson

A Bill

HOUSE BILL 1507

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 FINANCE AND ADMINISTRATION TO BE USED IN MAKING GRANTS, ON
10 A MATCHING BASIS, FOR THE CONSTRUCTION OF AN ARKANSAS
11 MUSEUM OF AVIATION HISTORY, AND FOR THE CONSTRUCTION OF AN
12 OUTDOOR AIR PARK FOR THE PRESERVATION AND DISPLAY OF
13 MILITARY AIRCRAFT OF HISTORICAL AND MILITARY SIGNIFICANCE,
14 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR
15 OTHER PURPOSES."

Subtitle

18 "AN ACT TO APPROPRIATE FUNDS FOR THE
19 ARKANSAS MUSEUM OF AVIATION HISTORY AND
20 AN OUTDOOR AIR PARK."

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

24 SECTION 1. PURPOSE. The General Assembly is cognizant of the
25 significant role aviation has played in the economic development and growth
26 of this state and of the many contributions that citizens of Arkansas have
27 made to aviation. The Arkansas Aviation Historical Society, Inc., a
28 non-profit corporation, has been established to engage in the preservation
29 and public display of a significant number of aircraft that have played an
30 important role in the aviation history in this state, and proposes to develop
31 an Arkansas Museum of Aviation History for such purpose, including the
32 maintenance of archival materials of major events and circumstances that
33 exemplify Arkansas' contribution to aviation history. In addition, the
34 Little Rock Air Force Base Historical Foundation, Inc., a private non-profit
35 corporation, has been founded to provide for the construction and operation,

1 at a site on the Little Rock Air Force Base, of an Outdoor Air Park for the
2 preservation and display of military aircraft of historical and military
3 significance, and of the role that Arkansas has played in the aviation
4 efforts for the national defense. The General Assembly hereby determines that
5 the development of an Arkansas Museum of Aviation History and the development
6 of the Outdoor Air Park at the Little Rock Air Force Base would make
7 available to this and future generations a living memorial to the history and
8 development of the aviation industry in this state, and the providing of the
9 aforementioned facilities would serve a public purpose. Therefore, the funds
10 appropriated in this act are intended to assist in the development of such
11 facilities for the benefit of the people of this state and to contribute to
12 tourism and the economic development of the state that would result
13 therefrom.

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15 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
16 Department of Finance and Administration - Disbursing Officer, to be payable
17 from the General Improvement Fund, or its successor fund or fund account, for
18 providing construction grants, on a matching basis, in the manner provided in
19 this act for an Arkansas Museum of Aviation History and for an Arkansas Air
20 Park for the preservation and display of aircraft of historical and military
21 significance, to be dispensed in the manner provided in this act, the
22 following:

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24 Item	Biennial
25 Period	
26 <u>No.</u>	ending June 30,
27 <u>1997</u>	
28 (01) Grant to the Arkansas Aviation Historical 29 Society, Inc., a private non-profit corporation, 30 on a dollar per dollar matching basis, to be 31 used for the construction of an Arkansas Museum 32 of Aviation History, as provided herein to be 33 open to the public, the sum of	\$1,500,000.00
34 (02) Grant to the Little Rock Air Force Base Historical 35 Foundation, Inc., a private non-profit corporation,	

1 on a dollar per dollar matching basis, to be used
2 for the construction of an Outdoor Air Park for the
3 preservation and display of military aircraft of
4 historical and military significance, as provided
5 herein, to be open to the public, the sum of 300,000.00
6
7 TOTAL APPROPRIATION \$1,800,000.00
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9 SECTION 3. AIR MUSEUM RESTRICTIONS. The funds appropriated under Item
10 (01) of Section 2 of this act shall not be disbursed until all of the
11 following conditions are met:

12 (a) The Arkansas Aviation Historical Society, Inc. has submitted to the
13 Governor, and the Governor has reviewed and endorsed his approval thereon, of
14 plans for the construction and operation of an Arkansas Museum of Aviation
15 History as a facility designed for the storage and display of historically
16 significant aircraft and archival materials relating to aviation, with
17 specific emphasis on Arkansas' role in aviation history. Said facility shall
18 be called the Arkansas Museum of Aviation History and shall be open to the
19 public at regular business hours. Such Museum shall be located on land
20 belonging to, or made available by, a municipal airport in central Arkansas
21 in order that said Museum may be operated in the atmosphere and setting of a
22 public airport. The lands for such Museum shall be provided either by
23 donation or long-term lease, and none of the funds appropriated in this act
24 may be used in payment thereof.

25 (b) Funds in the amount of one million five hundred thousand dollars
26 (\$1,500,000.00) have been raised whereupon the state funds may be paid on a
27 dollar per dollar matching basis to the Society.

28 (c) An agreement has been entered into by the Arkansas Aviation
29 Historical Society, Inc., and governing body of the municipal airport setting
30 out the conditions and restrictions governing the operations of the proposed
31 Museum which made ample provision for access thereto by the public.

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33 SECTION 4. AIR PARK RESTRICTIONS. The funds appropriated under Item
34 (02) of Section 2 of this act shall not be disbursed until all of the
35 following conditions are met:

1 (a) The Little Rock Air Force Base Historical Foundation, Inc. has
2 submitted plans to the Governor for the construction and operation of an
3 Outdoor Air Park to be used for the preservation and display of military
4 aircraft of historical and military significance, to be open to the public,
5 and to be located on land provided by the Little Rock Air Force Base. Such
6 facility shall be called the Little Rock Air Force Base Outdoor Air Park, and
7 the lands therefor shall be donated or provided to the Foundation by the
8 appropriate authorities of the Little Rock Air Force Base, and no state funds
9 appropriated in this act shall be used for payment thereof.

10 (b) Funds in the amount of three hundred thousand dollars (\$300,000.00)
11 have been raised by the Foundation from private, local or other sources, and
12 monies appropriated in this act shall not be made available to the Foundation
13 for the purposes of this act except on a dollar per dollar matching basis
14 after the entire three hundred thousand dollars (\$300,000.00) has been raised
15 by the Foundation.

16 (c) An agreement has been entered into between the Little Rock Air
17 Force Base Historical Foundation, Inc. and the appropriate officials of the
18 Little Rock Air Force Base setting out provisions governing the operations of
19 the proposed park and providing access for the public for review of the
20 aircraft displayed.

21 (d) The Governor has reviewed and approved the aforementioned plans and
22 has certified to the Director of the Department of Finance and Administration
23 his approval, whereupon, the Director of the Department of Finance and
24 Administration shall, upon certification of the Society and the Foundation
25 that all of the aforementioned conditions have been met, disburse the funds
26 provided in this act whenever the same become available, in the manner
27 provided by law.

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

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

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

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14 SECTION 6. 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
17 which 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 7. CODE. All provisions of this Act of a general and
24 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
25 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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27 SECTION 8. 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 9. GENERAL REPEALER. All laws and parts of laws in conflict
34 with this Act are hereby repealed.

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1 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by
2 the Eightieth 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 the effectiveness of this Act on July 1, 1995 is essential to
5 the operation of the agency for which the appropriations in this Act are
6 provided, and that in the event of an extension of the Regular Session, the
7 delay in the effective date of this Act beyond July 1, 1995 could work
8 irreparable harm upon the proper administration and provision of essential
9 governmental programs. Therefore, an emergency is hereby declared to exist
10 and this Act being necessary for the immediate preservation of the public
11 peace, health and safety shall be in full force and effect from and after
12 July 1, 1995.

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