

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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**For An Act To Be Entitled**

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"AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL

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IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF ARKANSAS

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HERITAGE; AND FOR OTHER PURPOSES."

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**Subtitle**

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"AN ACT FOR THE DEPARTMENT OF ARKANSAS

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HERITAGE REAPPROPRIATION."

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

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18 SECTION 1. REAPPROPRIATION - DIRECTOR'S OFFICE. There is hereby  
19 appropriated, to the Department of Arkansas Heritage, to be payable from the  
20 General Improvement Fund or its successor fund or fund accounts, for the  
21 Department of Arkansas Heritage - Director's Office, the following:

22 (A) Effective July 1, 1995, the balance of the appropriation provided  
23 in Item (B) of Section 1 of Act 1128 of 1993, for major maintenance projects  
24 of the Arkansas Territorial Restoration and the Commemorative Commission, in  
25 a sum not to exceed ..... \$150,000.

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27 SECTION 2. REAPPROPRIATION - DELTA CULTURAL CENTER. There is hereby  
28 appropriated, to the Department of Arkansas Heritage - Delta Cultural Center,  
29 to be payable from the General Improvement Fund or its successor fund or fund  
30 accounts, for Department of Arkansas Heritage - Delta Cultural Center, the  
31 following:

32 (A) Effective July 1, 1995, the balance of the appropriation provided  
33 in Item (A) of Section 2 of Act 1128 of 1993, for construction, renovation,  
34 repair and equipping of the Research Archives Project, Phase I, in a sum not  
35 to exceed ..... \$150,000.

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SECTION 3. REAPPROPRIATION - COMMEMORATIVE COMMISSION - CASH. There is hereby appropriated, to the Department of Arkansas Heritage - Commemorative Commission, to be payable from cash funds as defined by Arkansas Code 19-4-801 for the Department of Arkansas Heritage - Commemorative Commission, the following:

(A) Effective July 1, 1995, the balance of the appropriation provided in Item (A) of Section 6 of Act 1128 of 1993, for Arkansas History Exhibits, in a sum not to exceed ..... \$100,000.

SECTION 4. REAPPROPRIATION - COMMEMORATIVE COMMISSION. There is hereby appropriated, to the Department of Arkansas Heritage - Commemorative Commission, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Arkansas Heritage - Commemorative Commission, the following:

(A) Effective July 1, 1995, the balance of the appropriation provided in Item (A) of Section 5 of Act 1128 of 1993, for maintenance, repair, and associated costs of the Old State House heating and cooling system, in a sum not to exceed ..... \$50,000.

(B) Effective July 1, 1995, the balance of the appropriation provided in Item (B) of Section 5 of Act 1128 of 1993, for Arkansas History Exhibits, in a sum not to exceed ..... \$400,000.

SECTION 5. REAPPROPRIATION - NATURAL HERITAGE COMMISSION. There is hereby appropriated, to the Department of Arkansas Heritage - Natural Heritage Commission, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Arkansas Heritage - Natural Heritage Commission, the following:

(A) Effective July 1, 1995, the balance of the appropriation provided in Item (A) of Section 4 of Act 1128 of 1993, for development of Natural Areas in Boone, Calhoun, Cleveland, Franklin, Lonoke, Monroe and Prairie Counties, in a sum not to exceed ..... \$100,000.

SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor

1 obligations otherwise incurred in relation to the project or projects  
2 described herein in excess of the State Treasury funds actually available  
3 therefor as provided by law. Provided, however, that institutions and  
4 agencies listed herein shall have the authority to accept and use grants and  
5 donations including Federal funds, and to use its unobligated cash income or  
6 funds, or both available to it, for the purpose of supplementing the State  
7 Treasury funds for financing the entire costs of the project or projects  
8 enumerated herein. Provided further, that the appropriations and funds  
9 otherwise provided by the General Assembly for Maintenance and General  
10 Operations of the agency or institutions receiving appropriation herein shall  
11 not be used for any of the purposes as appropriated in this Act.

12 (B) Any restrictions contained in the Acts enumerated in the  
13 reappropriation sections of this Act, the restrictions of any applicable  
14 provisions of the State Purchasing Law, the General Accounting and Budgetary  
15 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal  
16 control laws of this State and regulations promulgated by the Department of  
17 Finance and Administration, as authorized by law, shall be strictly complied  
18 with in disbursement of any funds provided by this Act unless specifically  
19 provided otherwise by law.

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

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

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34 SECTION 9. SEVERABILITY. If any provision of this Act or the  
35 application thereof to any person or circumstance is held invalid, such

1 invalidity shall not affect other provisions or applications of the Act which  
2 can be given effect without the invalid provision or application, and to this  
3 end the provisions of this Act are declared to be severable.

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

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8       SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by  
9 the Eightieth General Assembly, that the Constitution of the State of  
10 Arkansas prohibits the appropriation of funds for more than a two (2) year  
11 period; that previous General Assemblies have provided appropriations for the  
12 projects provided enumerated in this act; that certain appropriations will  
13 expire before the adjournment of the General Assembly; and that if such  
14 appropriations expire, the projects and programs authorized herein will cease  
15 thereby depriving the citizens of the State of the benefits to be derived  
16 from such projects. Therefore, an emergency is hereby declared to exist and  
17 this Act being necessary for the immediate preservation of the public peace,  
18 health and safety shall be in full force and effect July 1, 1995.

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