

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 PARKS AND

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TOURISM; AND FOR OTHER PURPOSES."

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Subtitle

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"AN ACT FOR THE DEPARTMENT OF PARKS AND

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TOURISM 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 - 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 July 1, 1995, the balance of the appropriation provided
23 in Item (A) of Section 1 of Act 894 of 1993, for major maintenance,
24 renovation and repair regarding systemwide barrier-free facility
25 modifications to conform with the Americans with Disabilities Act, in a sum
26 not to exceed..... \$918,580.

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28 (B) Effective July 1, 1995, the balance of the appropriation provided
29 in Item (B) of Section 1 of Act 894 of 1993, for structural stabilization and
30 restoration of the 1836 State Capitol and the 1874 Courthouse at Old
31 Washington State Park, in a sum not to exceed \$397,360.

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33 (C) Effective July 1, 1995, the balance of the appropriation provided
34 in Item (C) of Section 1 of Act 894 of 1993, for replacement of underground
35 electrical wiring at the various parks and campgrounds, in a sum not to

1 exceed \$521,909.

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3 (D) Effective July 1, 1995, the balance of the appropriation provided
4 in Item (D) of Section 1 of Act 894 of 1993, for the renovation and
5 remodeling of rooms, cabins and restrooms, the purchase of furnishings and
6 other improvements to conform with the requirements of the Americans with
7 Disabilities Act, in a sum not to exceed \$844,519.

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9 (E) Effective July 1, 1995, the balance of the appropriation provided
10 in Item (E) of Section 1 of Act 894 of 1993, for the renovation and repair of
11 camping sites at various parks and campgrounds, in a sum not to exceed
12\$25,000.

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14 (F) Effective July 1, 1995, the balance of the appropriation provided
15 in Item (F) of Section 1 of Act 894 of 1993, for the construction of employee
16 residences at the Cossatot River State Park - Natural Area and at the Parkin
17 Archaeological State Park, in a sum not to exceed \$144,000.

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19 (G) Effective July 1, 1995, the balance of the appropriation provided
20 in Item (G) of Section 1 of Act 894 of 1993, for the construction and
21 equipping of collection stations at various state parks, in a sum not
22 to exceed \$270,000.

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24 (H) Effective July 1, 1995, the balance of the appropriation provided
25 in Item (A) of Section 1 of Act 647 of 1993, for the park development at
26 Mount Magazine State Park, in a sum not to exceed. \$500,000.

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28 SECTION 2. 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, 1995, the balance of the appropriation provided
33 in Item (A) of Section 3 of Act 600 of 1993, 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. \$8,435.

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SECTION 3. REAPPROPRIATION - REVENUE BONDS. There is hereby appropriated, to the Department of Parks and Tourism, to be payable from cash funds of the Department of Parks and Tourism as defined by Arkansas Code 19-4-801 from the Revenue Bonds issued under the authority of Arkansas Code 22-4-302 et. seq., the following:

(A) Effective April 9, 1995, the balance of the appropriation provided in Item (A) of Section 4 of Act 600 of 1993, for land purchases and various construction and improvement projects for Mount Nebo State Park, in a sum not to exceed..... \$158,347.

SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that institutions and agencies listed herein shall have the authority to accept and use grants and donations including Federal funds, and to use its unobligated cash income or funds, or both available to it, for the purpose of supplementing the State Treasury funds for financing the entire costs of the project or projects enumerated herein. Provided further, that the appropriations and funds otherwise provided by the General Assembly for Maintenance and General Operations of the agency or institutions receiving appropriation herein shall not be used for any of the purposes as appropriated in this Act.

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

SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for

1 which this Act was adopted, as evidenced by the Agency Requests, Executive
2 Recommendations and Legislative Recommendations contained in the budget
3 manuals prepared by the Department of Finance and Administration, letters, or
4 summarized oral testimony in the official minutes of the Arkansas Legislative
5 Council or Joint Budget Committee which relate to its passage and adoption.

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

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11 SECTION 7. SEVERABILITY. If any provision of this Act or the
12 application thereof to any person or circumstance is held invalid, such
13 invalidity shall not affect other provisions or applications of the Act which
14 can be given effect without the invalid provision or application, and to this
15 end the provisions of this Act are declared to be severable.

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17 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
18 with this Act are hereby repealed.

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20 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
21 Eightieth General Assembly, that the Constitution of the State of Arkansas
22 prohibits the appropriation of funds for more than a two (2) year period;
23 that previous General Assemblies have provided appropriations for the
24 projects provided or enumerated in this act; that certain appropriations will
25 expire before the adjournment of the General Assembly; and that if such
26 appropriations expire, the projects and programs authorized herein will cease
27 thereby depriving the citizens of the State of the benefits to be derived
28 from such projects. Therefore, an emergency is hereby declared to exist and
29 this Act being necessary for the immediate preservation of the public peace,
30 health and safety shall be in full force and effect from and after the date
31 of its passage and approval.

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