

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 644

4 By: *Joint Budget Committee*

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For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 ARKANSAS HERITAGE COMMISSION FOR LAND ACQUISITION AND
10 COSTS ASSOCIATED WITH ARCHEOLOGICAL EXPLORATION TO RECOVER
11 CIVIL WAR SHIPS AND OTHER SHIPWRECKS OF HISTORICAL
12 SIGNIFICANCE WHICH BECOME RECOVERABLE DUE TO FLUCTUATIONS
13 IN RIVER CHANNELS, OR ARE AT RISK OF BEING LOST OR
14 DAMAGED; AND FOR OTHER PURPOSES."

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Subtitle

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17 "AN ACT FOR THE DEPARTMENT OF ARKANSAS
18 HERITAGE COMMISSION CAPITAL IMPROVEMENT
19 APPROPRIATION."
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
24 Department of Arkansas Heritage - *Director's Office*, to be payable from the
25 General Improvement Fund or its successor fund or fund accounts, the
26 following:

27 (A) For land acquisition and costs associated with archeological
28 exploration to recover threatened shipwrecks of historical significance, the
29 sum of \$100,000.
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31 SECTION 2. The funds appropriated in Section 1 herein shall be used to
32 defray expenses associated with archeological exploration to recover
33 steamships, Civil War ships, and other historically significant shipwrecks
34 which are at risk of being lost or damaged, which may contain human remains,
35 or which become recoverable due to fluctuations in the Mississippi River or

1 other river channels.

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4 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
5 obligations otherwise incurred in relation to the project or projects
6 described herein in excess of the State Treasury funds actually available
7 therefor as provided by law. Provided, however, that institutions and
8 agencies listed herein shall have the authority to accept and use grants and
9 donations including Federal funds, and to use its unobligated cash income or
10 funds, or both available to it, for the purpose of supplementing the State
11 Treasury funds for financing the entire costs of the project or projects
12 enumerated herein. Provided further, that the appropriations and funds
13 otherwise provided by the General Assembly for Maintenance and General
14 Operations of the agency or institutions receiving appropriation herein shall
15 not be used for any of the purposes as appropriated in this Act.

16 (B) The restrictions of any applicable provisions of the State
17 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
18 Revenue Stabilization Law and any other applicable fiscal control laws of
19 this State and regulations promulgated by the Department of Finance and
20 Administration, as authorized by law, shall be strictly complied with in
21 disbursement of any funds provided by this Act unless specifically provided
22 otherwise by law.

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24 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
25 Assembly that any funds disbursed under the authority of the appropriations
26 contained in this Act shall be in compliance with the stated reasons for
27 which this Act was adopted, as evidenced by the Agency Requests, Executive
28 Recommendations and Legislative Recommendations contained in the budget
29 manuals prepared by the Department of Finance and Administration, letters, or
30 summarized oral testimony in the official minutes of the Arkansas Legislative
31 Council or Joint Budget Committee which relate to its passage and adoption.

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33 SECTION 5. CODE. All provisions of this Act of a general and
34 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
35 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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SECTION 6. SEVERABILITY. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995.

/s/Snyder et al

As Engrossed: 3/8/95 3/10/95

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