

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

As Engrossed: S2/25/97 S3/6/97

# A Bill

SENATE BILL 284

5 By: *Joint Budget Committee*  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF  
10 FINANCE AND ADMINISTRATION TO BE USED IN MAKING GRANTS, ON  
11 A MATCHING BASIS, FOR THE CONSTRUCTION OF AN AIR PARK  
12 MUSEUM FOR THE PRESERVATION AND DISPLAY OF MILITARY  
13 AIRCRAFT AND ARTIFACTS OF HISTORICAL AND MILITARY  
14 SIGNIFICANCE, FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
15 1999; AND FOR OTHER PURPOSES."

## Subtitle

16  
17  
18 "AN ACT FOR MATCHING GRANTS FOR AN AIR  
19 PARK MUSEUM FOR THE DEPARTMENT OF  
20 FINANCE AND ADMINISTRATION - DISBURSING  
21 OFFICER CAPITAL IMPROVEMENT  
22 APPROPRIATION."  
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. PURPOSE. The General Assembly is cognizant of the  
27 significant role that Little Rock Air Force Base has played in the economic  
28 development and growth of this state and of the many contributions that the  
29 base and its personnel have made to this state and nation. The Little Rock  
30 Air Force Base Historical Foundation, Inc., a private non-profit corporation,  
31 has been founded to provide for the construction and operation of an air park  
32 museum at a site adjacent to the Little Rock Air Force Base for the  
33 preservation and display of military aircraft and artifacts of historical and  
34 military significance, and of the role that Arkansas has played in the  
35 aviation efforts for the national defense. The General Assembly hereby  
36 determines that the development of an Air Park Museum at the Little Rock Air

1 Force Base would make available to this and future generations a living  
2 memorial to the history and development of military aviation in this state,  
3 and the providing of the aforementioned facilities would serve a public  
4 purpose. Therefore, the funds appropriated in this act are intended to assist  
5 in the development of such facilities for the benefit of the people of this  
6 state and to contribute to education, tourism and the economic development of  
7 the state that would result therefrom.

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9 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the  
10 Department of Finance and Administration - Disbursing Officer, to be payable  
11 from the General Improvement Fund or its successor fund or fund accounts, the  
12 following:

13 (A) For a Grant to the Little Rock Air Force Base Historical Foundation,  
14 Inc., a private non-profit corporation, on a dollar per dollar matching basis,  
15 to be used for the construction of an Air Park Museum for the preservation and  
16 display of military aircraft and artifacts of historical and military  
17 significance, as provided herein, to be open to the public, the sum  
18 of.....\$300,000.

19 (B) For purchase of property easements surrounding Little Rock Air  
20 Force Base Drop Zones, the sum of .....\$300,000.

21

22 SECTION 3. SPECIAL LANGUAGE. AIR PARK MUSEUM RESTRICTIONS. The funds  
23 appropriated under Item (A) of Section 2 of this act shall not be disbursed  
24 until all of the following conditions are met:

25 (a) The Little Rock Air Force Base Historical Foundation, Inc. has  
26 submitted plans to the Governor for the construction and operation of an Air  
27 Park Museum to be used for the preservation and display of military aircraft  
28 and artifacts of historical and military significance, to be open to the  
29 public, and to be located on land adjacent to the Little Rock Air Force Base.  
30 Such facility shall be called the Little Rock Air Force Base Air Park Museum  
31 or Arkansas Air Park Museum and the lands therefor shall be located adjacent  
32 to the Little Rock Air Force Base and shall be owned by the Foundation. No  
33 state funds appropriated in this act shall be used for payment thereof.

34 (b) Funds and assets having a total value of three hundred thousand  
35 dollars (\$300,000) have been raised by the Foundation from private, local or

1 other sources and monies appropriated in this act shall not be made available  
2 to the Foundation for the purposes of this act except on a dollar per dollar  
3 matching basis after the entire three hundred thousand dollars in assets has  
4 been obtained by the Foundation.

5 (c) The Governor has reviewed and approved the aforementioned plans and  
6 has certified to the Director of the Department of Finance and Administration  
7 his approval, whereupon, the Director of the Department of Finance and  
8 Administration shall, upon certification of the Foundation that all of the  
9 aforementioned conditions have been met, disburse the funds provided in this  
10 act whenever the same shall become available, in the manner provided by law.

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12 SECTION 4. If any funds are expended from Item (A) herein, no funds may  
13 be used for Item (B) herein. If any funds are expended from Item (B) herein,  
14 no funds may be used for Item (A) herein.

15

16 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
17 obligations otherwise incurred in relation to the project or projects  
18 described herein in excess of the State Treasury funds actually available  
19 therefor as provided by law. Provided, however, that institutions and  
20 agencies listed herein shall have the authority to accept and use grants and  
21 donations including Federal funds, and to use its unobligated cash income or  
22 funds, or both available to it, for the purpose of supplementing the State  
23 Treasury funds for financing the entire costs of the project or projects  
24 enumerated herein. Provided further, that the appropriations and funds  
25 otherwise provided by the General Assembly for Maintenance and General  
26 Operations of the agency or institutions receiving appropriation herein shall  
27 not be used for any of the purposes as appropriated in this Act.

28 (B) The restrictions of any applicable provisions of the State  
29 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
30 Revenue Stabilization Law and any other applicable fiscal control laws of this  
31 State and regulations promulgated by the Department of Finance and  
32 Administration, as authorized by law, shall be strictly complied with in  
33 disbursement of any funds provided by this Act unless specifically provided  
34 otherwise by law.

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

9

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

13

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

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

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23 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
24 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
25 prohibits the appropriation of funds for more than a two (2) year period; that  
26 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
27 the agency for which the appropriations in this Act are provided, and that in  
28 the event of an extension of the Regular Session, the delay in the effective  
29 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
30 proper administration and provision of essential governmental programs.  
31 Therefore, an emergency is hereby declared to exist and this Act being  
32 necessary for the immediate preservation of the public peace, health and  
33 safety shall be in full force and effect from and after July 1, 1997.

34

/s/Gwatney

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