

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

HOUSE BILL 1338

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
9 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF PARKS
11 AND TOURISM; AND FOR OTHER PURPOSES. "

Subtitle

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14 "AN ACT FOR THE DEPARTMENT OF PARKS
15 AND TOURISM REAPPROPRIATION. "

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. REAPPROPRIATION - STATE. There is hereby appropriated, to the
21 Department of Parks and Tourism, to be payable from the General Improvement
22 Fund or its successor fund or fund accounts, for the Department of Parks and
23 Tourism, the following:

24 (A) Effective July 1, 1999, the balance of the appropriation provided in
25 Item (A) of Section 1 of Act 627 of 1997, for construction, equipping and
26 capital improvements at Mount Magazine State Park, in a sum not to exceed
27 \$3,000,000.
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29 (B) Effective July 1, 1999, the balance of the appropriation provided in
30 Section 1 of Act 616 of 1997, for repairs to the Jacksonport State Park, in a
31 sum not to exceed \$250,000.
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33 (C) Effective July 1, 1999, the balance of the appropriation provided in
34 Section 3 of Act 606 of 1997, for repair, replacement and renovation of
35 buildings, grounds and equipment at various state parks, in a sum not to
36 exceed \$256,847.

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2 (D) Effective July 1, 1999, the balance of the appropriation provided in
3 Item (B) of Section 3 of Act 158 of 1997, for the renovation/repair of
4 deteriorated camping sites at various state parks, in a sum not to exceed
5\$23,506.
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7 (E) Effective July 1, 1999, the balance of the appropriation provided in
8 Item (C) of Section 3 of Act 158 of 1997, for replacement of underground
9 electrical and burial of overhead power lines at state parks, in a sum not to
10 exceed\$31,611.
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12 (F) Effective July 1, 1999, the balance of the appropriation provided in
13 Item (D) of Section 3 of Act 158 of 1997, for reconstruction, historical
14 landscaping, rebuilding a rock and concrete retaining wall, walkway, outdoor
15 exhibits and various other projects at Powhatan Courthouse State Park, in a
16 sum not to exceed\$57,488.
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18 (G) Effective July 1, 1999, the balance of the appropriation provided in
19 Item (E) of Section 3 of Act 158 of 1997, for renovation of sewer treatment
20 plant, road and parking lots and other related improvements at Old
21 Davidsonville State Park, in a sum not to exceed\$69,370.
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23 (H) Effective July 1, 1999, the balance of the appropriation provided in
24 Item (F) of Section 3 of Act 158 of 1997, for capital improvements at Mt.
25 Magazine State Park, in a sum not to exceed\$3,504,999.
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27 SECTION 2. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to the
28 Department of Parks and Tourism, to be payable from the federal funds as
29 designated by the Chief Fiscal Officer of the State, for the Department of
30 Parks and Tourism, the following:

31 (A) Effective July 1, 1999, the balance of the appropriation provided in
32 Item (A) of Section 2 of Act 158 of 1997, for construction and renovation
33 projects for buildings, grounds and equipment at various state parks, in a sum
34 not to exceed\$469,073.
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36 SECTION 3. REAPPROPRIATION - DAH - NATURAL AND CULTURAL RESOURCES GRANT.

1 There is hereby appropriated, to the Department of Parks and Tourism, to be
2 payable from the Arkansas Natural and Cultural Resources Grant and Trust Fund,
3 for the Department of Parks and Tourism, the following:

4 (A) Effective July 1, 1999, the balance of the appropriation provided in
5 Section 52 of Act 1115 of 1997, for grants and aid for various projects and
6 the development of Black River Park, Arkansas, in a sum not to exceed
7\$335,990.

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9 (B) Effective July 1, 1999, the balance of the appropriation provided in
10 Section 52 of Act 1115 of 1997, for grants and aid for the development and
11 services for the Salem Town Branch Project, in a sum not to exceed ...\$50,000.

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13 (C) Effective July 1, 1999, the balance of the appropriation provided in
14 Section 52 of Act 1115 of 1997, for extra help services for Statewide Park
15 Improvements, in a sum not to exceed\$8,442.

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17 (D) Effective July 1, 1999, the balance of the appropriation provided in
18 Section 52 of Act 1115 of 1997, for personal services matching for Statewide
19 Park Improvements, in a sum not to exceed\$1,558.

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21 (E) Effective July 1, 1999, the balance of the appropriation provided in
22 Section 52 of Act 1115 of 1997, for various construction and construction
23 related projects for Statewide Park Improvements, in a sum not to exceed
24\$3,501,987.

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26 SECTION 4. REAPPROPRIATION - CASH. There is hereby appropriated, to the
27 Department of Parks and Tourism, to be payable from the cash funds as defined
28 by Arkansas Code 19-4-801, for the Department of Parks and Tourism, the
29 following:

30 (A) Effective July 1, 1999, the balance of the appropriation provided in
31 Item (A) of Section 2 of Act 606 of 1997, for land purchases and various
32 construction and improvement projects for Mount Nebo State Park, in a sum not
33 to exceed\$308,842.

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35 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
36 obligations otherwise incurred in relation to the project or projects

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

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

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18 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
19 that any funds disbursed under the authority of the appropriations contained
20 in this act shall be in compliance with the stated reasons for which this act
21 was adopted, as evidenced by the Agency Requests, Executive Recommendations
22 and Legislative Recommendations contained in the budget manuals prepared by
23 the Department of Finance and Administration, letters, or summarized oral
24 testimony in the official minutes of the Arkansas Legislative Council or Joint
25 Budget Committee which relate to its passage and adoption.

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

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31 SECTION 8. SEVERABILITY. If any provision of this act or the application
32 thereof to any person or circumstance is held invalid, such invalidity shall
33 not affect other provisions or applications of the act which can be given
34 effect without the invalid provision or application, and to this end the
35 provisions of this act are declared to be severable.

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1 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict with
2 this act are hereby repealed.

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4 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
5 Eighty-second General Assembly, that the Constitution of the State of Arkansas
6 prohibits the appropriation of funds for more than a two (2) year period; that
7 previous General Assemblies have provided appropriations for the projects
8 provided or enumerated in this act; that certain appropriations will expire
9 before the adjournment of the General Assembly; and that if such
10 appropriations expire, the projects and programs authorized herein will cease
11 thereby depriving the citizens of the State of the benefits to be derived from
12 such projects. Therefore, an emergency is hereby declared to exist and this
13 Act being necessary for the immediate preservation of the public peace, health
14 and safety shall be in full force and effect from and after the date of its
15 passage and approval. If the bill is neither approved nor vetoed by the
16 Governor, it shall become effective on the expiration of the period of time
17 during which the Governor may veto the bill. If the bill is vetoed by the
18 Governor and the veto is overridden, it shall become effective on the date the
19 last house overrides the veto.