

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: S3/1/99*  
**A Bill**

SENATE BILL 328

5 *By: Joint Budget Committee*  
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**For An Act To Be Entitled**

9 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF  
10 FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR  
11 COSTS ASSOCIATED WITH THE CONSTRUCTION OF AN  
12 AMPHITHEATER IN THE CITY OF BATESVILLE, ARKANSAS; AND  
13 FOR OTHER PURPOSES."

**Subtitle**

15 "AN ACT FOR THE DEPARTMENT OF FINANCE  
16 AND ADMINISTRATION - DISBURSING OFFICER  
17 - BATESVILLE AMPHITHEATER CAPITAL  
18 IMPROVEMENT APPROPRIATION.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. APPROPRIATIONS - AMPHITHEATER CONSTRUCTION. There is hereby  
25 appropriated, to the Department of Finance and Administration - Disbursing  
26 Officer, to be payable from the General Improvement Fund or its successor fund  
27 or fund accounts, the following:

28 (A) For costs associated with the construction of an Amphitheater in the  
29 City of Batesville, Arkansas, the sum of .....\$400,000.  
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31 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
32 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISBURSEMENT  
33 RESTRICTIONS. Of the amount appropriated in this Act, no funds shall be  
34 released by the Chief Fiscal Officer of the State until such time as the City  
35 of Batesville shall show proof of cash funds or in-kind resources in an amount  
36 equal to two hundred thousand dollars (\$200,000).

\*PLR043\*

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

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

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

1 effect without the invalid provision or application, and to this end the  
2 provisions of this act are declared to be severable.

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

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7 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the  
8 Eighty-second General Assembly, that the Constitution of the State of Arkansas  
9 prohibits the appropriation of funds for more than a two (2) year period; that  
10 the effectiveness of this Act on July 1, 1999 is essential to the operation of  
11 the agency for which the appropriations in this Act are provided, and that in  
12 the event of an extension of the Regular Session, the delay in the effective  
13 date of this Act beyond July 1, 1999 could work irreparable harm upon the  
14 proper administration and provision of essential governmental programs.  
15 Therefore, an emergency is hereby declared to exist and this Act being  
16 necessary for the immediate preservation of the public peace, health and  
17 safety shall be in full force and effect from and after July 1, 1999.

18 /s/ Russ  
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