

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 1511

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  
11 ARKANSAS HERITAGE; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14  
15 AN ACT FOR THE DEPARTMENT OF ARKANSAS  
16 HERITAGE REAPPROPRIATION.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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### SECTION 1. REAPPROPRIATION - CENTRAL ADMINISTRATION - DIRECTOR'S OFFICE.

21 There is hereby appropriated, to the Department of Arkansas Heritage, to be  
22 payable from the Arkansas Natural and Cultural Resources Grant and Trust  
23 Fund, for the Department of Arkansas Heritage, the following:  
24

25 (A) Effective July 1, 2005, the balance of the appropriation provided in  
26 Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition,  
27 management, stewardship and preservation of state-owned lands or historic  
28 sites by the Department of Arkansas Heritage - Natural and Cultural Resources  
29 Council, in a sum not to exceed .....\$37,582.  
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### SECTION 2. REAPPROPRIATION - CONSERVATION TAX PROJECTS - AMENDMENT 75.

31 There is hereby appropriated, to the Department of Arkansas Heritage, to be  
32 payable from the Arkansas Department of Heritage Fund Account, for the  
33 Department of Arkansas Heritage, the following:  
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35 (A) Effective July 1, 2005, the balance of the appropriation provided in  
36 Item (A) of Section 12 of Act 1053 of 2003 and Item (5) of Section 5 of Act



1 1605 of 2003, for Department of Arkansas Heritage museum/facility  
2 construction, in a sum not to exceed.....\$4,436,485.

3 (B) Effective July 1, 2005, the balance of the appropriation provided in  
4 Item (B) of Section 12 of Act 1053 of 2003 and Item (7) of Section 5 of Act  
5 1605 of 2003, for Special Maintenance, in a sum not to exceed  
6 .....\$1,740,584.  
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8 SECTION 3. REAPPROPRIATION - CENTRAL ADMINISTRATION - GENERAL IMPROVEMENT  
9 FUNDS. There is hereby appropriated, to the Department of Arkansas Heritage,  
10 to be payable from the General Improvement Fund or its successor fund or fund  
11 accounts, for the Department of Arkansas Heritage, the following:

12 (A) Effective July 1, 2005, the balance of the appropriation provided in  
13 Item (B) of Section 11 of Act 1053 of 2003, for major maintenance, renovation  
14 and repairs of various facilities within the Department of Arkansas Heritage,  
15 in a sum not to exceed .....\$77,850.

16 (B) Effective July 1, 2005, the balance of the appropriation provided in  
17 Item (G) of Section 11 of Act 1053 of 2003, for the construction, purchase  
18 and acquisition of materials to build a permanent music stage and for the  
19 development of a music sound studio for tourism, education and cultural  
20 enrichment and for other costs in Helena, Arkansas, in a sum not to exceed  
21 .....\$5,951.

22 (C) Effective July 1, 2005, the balance of the appropriation provided in  
23 Item (H) of Section 11 of Act 1053 of 2003, for renovation of the Mosaic  
24 Templars building in Little Rock for the establishment of the Mosaic Templars  
25 of America Center for African-American Culture and Development, in a sum not  
26 to exceed .....\$7,552.

27 (D) Effective July 1, 2005, the balance of the appropriation provided in  
28 Item (A) of Section 11 of Act 1053 of 2003, for major maintenance, renovation  
29 and repairs of various facilities within the Department of Arkansas Heritage,  
30 in a sum not to exceed .....\$25,058.  
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32 SECTION 4. REAPPROPRIATION - DELTA CULTURAL CENTER - CASH IN TREASURY.  
33 There is hereby appropriated, to the Department of Arkansas Heritage - Delta  
34 Cultural Center, to be payable from the cash fund deposited in the State  
35 Treasury as determined by the Chief Fiscal Officer of the State, for the  
36 Department of Arkansas Heritage - Delta Cultural Center, the following:

1 (A) Effective July 1, 2005, the balance of the appropriation provided in  
2 Item (A) of Section 2 of Act 1053 of 2003, for construction, in a sum not to  
3 exceed .....\$54,496.  
4

5 SECTION 5. REAPPROPRIATION - DELTA CULTURAL CENTER. There is hereby  
6 appropriated, to the Department of Arkansas Heritage - Delta Cultural Center,  
7 to be payable from the General Improvement Fund or its successor fund or fund  
8 accounts, for the Department of Arkansas Heritage - Delta Cultural Center,  
9 the following:

10 (A) Effective July 1, 2005, the balance of the appropriation provided in  
11 Item (A) of Section 1 of Act 1053 of 2003, for land purchase for a museum and  
12 research buildings, in a sum not to exceed .....\$10,440.  
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14 SECTION 6. REAPPROPRIATION - DELTA CULTURAL CENTER. There is hereby  
15 appropriated, to the Department of Arkansas Heritage - Delta Cultural Center,  
16 to be payable from the Arkansas Natural and Cultural Resources Grant and  
17 Trust Fund, for the Department of Arkansas Heritage - Delta Cultural Center,  
18 the following:

19 (A) Effective July 1, 2005, the balance of the appropriation provided in  
20 Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition,  
21 management, stewardship and preservation of state-owned lands or historic  
22 sites by the Department of Arkansas Heritage - Natural and Cultural Resources  
23 Council, in a sum not to exceed .....\$250,000.  
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25 SECTION 7. REAPPROPRIATION - MOSAIC TEMPLARS CULTURAL CENTER - CASH IN  
26 TREASURY. There is hereby appropriated, to the Department of Arkansas  
27 Heritage - Mosaic Templars of America Center for African-American Culture and  
28 Business Enterprise, to be payable from the cash fund deposited in the State  
29 Treasury as determined by the Chief Fiscal Officer of the State, for the  
30 Department of Arkansas Heritage - Mosaic Templars of America Center for  
31 African-American Culture and Business Enterprise, the following:

32 (A) Effective July 1, 2005, the balance of the appropriation provided in  
33 Item (1) of Section 33 of Act 50 of the First Extraordinary Session of 2003,  
34 for providing general improvements to the Mosaic Templars of America Cultural  
35 Center, in a sum not to exceed.....\$25,000.  
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1 SECTION 8. REAPPROPRIATION - MOSAIC TEMPLARS CULTURAL CENTER. There is  
2 hereby appropriated, to the Department of Arkansas Heritage - Mosaic Templars  
3 of America Center for African-American Culture and Business Enterprise, to be  
4 payable from the Arkansas Natural and Cultural Resources Grant and Trust  
5 Fund, for the Department of Arkansas Heritage - Mosaic Templars of America  
6 Center for African-American Culture and Business Enterprise, the following:

7 (A) Effective July 1, 2005, the balance of the appropriation provided in  
8 Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition,  
9 management, stewardship and preservation of state-owned lands or historic  
10 sites by the Department of Arkansas Heritage - Natural and Cultural Resources  
11 Council, in a sum not to exceed .....\$1,829,918.  
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13 SECTION 9. REAPPROPRIATION - MOSAIC TEMPLARS CULTURAL CENTER. There is  
14 hereby appropriated, to the Department of Arkansas Heritage - Mosaic Templars  
15 of America Center for African-American Culture and Business Enterprise, to be  
16 payable from the General Improvement Fund or its successor fund or fund  
17 accounts, for the Department of Arkansas Heritage - Mosaic Templars of  
18 America Center for African-American Culture and Business Enterprise, the  
19 following:

20 (A) Effective July 1, 2005, the balance of the appropriation provided in  
21 Item (A) of Section 1 of Act 945 of 2003, for renovation of the Mosaic  
22 Templars Cultural Center, and planning and installation of permanent and  
23 temporary exhibits on the site, in a sum not to exceed .....\$149,966.  
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25 SECTION 10. REAPPROPRIATION - OLD STATE HOUSE COMMISSION. There is hereby  
26 appropriated, to the Department of Arkansas Heritage - Old State House, to be  
27 payable from the Arkansas Natural and Cultural Resources Grant and Trust  
28 Fund, for the Department of Arkansas Heritage - Old State House, the  
29 following:

30 (A) Effective July 1, 2005, the balance of the appropriation provided in  
31 Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition,  
32 management, stewardship and preservation of state-owned lands or historic  
33 sites by the Department of Arkansas Heritage - Natural and Cultural Resources  
34 Council, in a sum not to exceed .....\$450,000.  
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36 SECTION 11. REAPPROPRIATION - HISTORIC PRESERVATION. There is hereby

1 appropriated, to the Department of Arkansas Heritage - Historic Preservation,  
2 to be payable from the Arkansas Natural and Cultural Resources Grant and  
3 Trust Fund, for the Department of Arkansas Heritage - Historic Preservation,  
4 the following:

5 (A) Effective July 1, 2005, the balance of the appropriation provided in  
6 Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition,  
7 management, stewardship and preservation of state-owned lands or historic  
8 sites by the Department of Arkansas Heritage - Natural and Cultural Resources  
9 Council, in a sum not to exceed .....\$425,000.

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11 SECTION 12. REAPPROPRIATION - NATURAL HERITAGE COMMISSION. There is hereby  
12 appropriated, to the Department of Arkansas Heritage - Natural Heritage  
13 Commission, to be payable from the Arkansas Natural and Cultural Resources  
14 Grant and Trust Fund, for the Department of Arkansas Heritage - Natural  
15 Heritage Commission, the following:

16 (A) Effective July 1, 2005, the balance of the appropriation provided in  
17 Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition,  
18 management, stewardship and preservation of state-owned lands or historic  
19 sites by the Department of Arkansas Heritage - Natural and Cultural Resources  
20 Council, in a sum not to exceed .....\$750,000.

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22 SECTION 13. REAPPROPRIATION - NATURAL HERITAGE COMMISSION. There is hereby  
23 appropriated, to the Department of Arkansas Heritage - Natural Heritage  
24 Commission, to be payable from the Arkansas Department of Heritage Fund  
25 Account, for the Department of Arkansas Heritage - Natural Heritage  
26 Commission, the following:

27 (A) Effective July 1, 2005, the balance of the appropriation provided in  
28 Item (A) of Section 8 of Act 1053 of 2003 and Item (A) of Section 20 of Act  
29 1605 of 2003, for the System of Natural Areas: Land acquisition, Public  
30 Access and Inventory capital project of the Department of Arkansas Heritage,  
31 in a sum not to exceed .....\$155,000.

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33 SECTION 14. REAPPROPRIATION - HISTORIC ARKANSAS MUSEUM . There is hereby  
34 appropriated, to the Department of Arkansas Heritage - Historic Arkansas  
35 Museum, to be payable from the Arkansas Natural and Cultural Resources Grant  
36 and Trust Fund, for the Department of Arkansas Heritage - Historic Arkansas

1 Museum, the following:

2 (A) Effective July 1, 2005, the balance of the appropriation provided in  
3 Item (1) of Section 24 of Act 1605 of 2003, for grants for the acquisition,  
4 management, stewardship and preservation of state-owned lands or historic  
5 sites by the Natural and Cultural Resources Council of the Department of  
6 Arkansas Heritage, in a sum not to exceed .....\$450,000.

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

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

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27 SECTION 16. LEGISLATIVE INTENT. It is the intent of the General Assembly  
28 that any funds disbursed under the authority of the appropriations contained  
29 in this act shall be in compliance with the stated reasons for which this act  
30 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
31 and Legislative Recommendations contained in the budget manuals prepared by  
32 the Department of Finance and Administration, letters, or summarized oral  
33 testimony in the official minutes of the Arkansas Legislative Council or  
34 Joint Budget Committee which relate to its passage and adoption.

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36 SECTION 17. EMERGENCY CLAUSE. It is found and determined by the General

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

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