

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 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1304

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 PARKS AND TOURISM; AND FOR OTHER PURPOSES.  
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13

## Subtitle

14  
15 AN ACT FOR THE DEPARTMENT OF PARKS AND  
16 TOURISM REAPPROPRIATION.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. REAPPROPRIATION - STATE PARKS - FEDERAL. There is hereby  
22 appropriated, to the Department of Parks and Tourism, to be payable from the  
23 federal funds as designated by the Chief Fiscal Officer of the State, for the  
24 Department of Parks and Tourism, the following:

25 (A) Effective July 1, 2009, the balance of the appropriation provided in  
26 Item (A) of Section 2 of Act 1141 of 2007, for funding to begin construction  
27 of facilities planned to support the establishment of the Mississippi River  
28 State Park, in a sum not to exceed .....\$280,800.

29 (B) Effective July 1, 2009, the balance of the appropriation provided in  
30 Item (B) of Section 2 of Act 1141 of 2007, for funding to design, construct,  
31 repair and renovate Airport Infrastructure at the Petit Jean State Park  
32 Airport, in a sum not to exceed .....\$706,448.  
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34 SECTION 2. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby  
35 appropriated, to the Department of Parks and Tourism, to be payable from the  
36 General Improvement Fund or its successor fund or fund accounts, for the



1 Department of Parks and Tourism, the following:

2 (A) Effective July 1, 2009, the balance of the appropriation provided in  
3 Item (A) of Section 1 of Act 1141 of 2007, for the purchase of computer  
4 servers and the replacement of an offset printing press, in a sum not to  
5 exceed .....\$84,474.

6 (B) Effective July 1, 2009, the balance of the appropriation provided in  
7 Item (B) of Section 1 of Act 1141 of 2007, for various maintenance,  
8 renovation, equipping, construction, acquisition, improvement, upgrade, and  
9 repair projects for Park facilities, in a sum not to exceed ....\$2,000,000.

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11 SECTION 3. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby  
12 appropriated, to the Department of Parks and Tourism, to be payable from the  
13 General Improvement Fund or its successor fund or fund accounts, for the  
14 Department of Parks and Tourism, the following:

15 (A) Effective July 1, 2009, the balance of the appropriation provided in  
16 Item (B) of Section 1 of Act 446 of 2007, for various maintenance,  
17 renovation, equipping, construction, improvement, upgrade, and repair  
18 projects for Park facilities, in a sum not to exceed .....\$258,600.

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20 SECTION 4. REAPPROPRIATION - CONSERVATION TAX - CONSTRUCTION. There is  
21 hereby appropriated, to the Department of Parks and Tourism, to be payable  
22 from the Department of Parks and Tourism Fund Account, for the Department of  
23 Parks and Tourism, the following:

24 (A) Effective July 1, 2009, the balance of the appropriation provided in  
25 Item (A) of Section 3 of Act 446 of 2007 and Item (5) of Section 6 of Act  
26 1227 of 2007, for construction projects at various parks system-wide, in a  
27 sum not to exceed .....\$13,324,166.

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29 SECTION 5. REAPPROPRIATION - CONSERVATION TAX - CONSTRUCTION. There is  
30 hereby appropriated, to the Department of Parks and Tourism, to be payable  
31 from the Department of Parks and Tourism Fund Account, for the Department of  
32 Parks and Tourism, the following:

33 (A) Effective July 1, 2009, the balance of the appropriation provided in  
34 Item (A) of Section 3 of Act 446 of 2007 of Item (5) of Section 6 of Act 1227  
35 of 2007, for construction projects at various parks system-wide, in a sum not  
36 to exceed .....\$11,159,288.

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SECTION 6. REAPPROPRIATION - MAINTENANCE PROJECTS. There is hereby appropriated, to the Department of Parks and Tourism, to be payable from the Department of Parks and Tourism Fund Account, for the Department of Parks and Tourism, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (B) of Section 3 of Act 446 of 2007 and Item (06) of Section 6 of Act 1227 of 2007, for special maintenance projects at various parks system-wide, in a sum not to exceed .....\$1,425,936.

SECTION 7. REAPPROPRIATION - U.S. MARSHAL MUSEUM. There is hereby appropriated, to the Department of Parks and Tourism, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Parks and Tourism, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 1 of Act 893 of 2007, for planning, construction, and development of a National U.S. Marshal Museum in Fort Smith, Arkansas, in a sum not to exceed.....\$22,800,000.

SECTION 8. REAPPROPRIATION - OPERATIONS AND CONSTRUCTION - CASH FUNDS. There is hereby appropriated, to the Department of Parks and Tourism, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for the Department of Parks and Tourism, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 4 of Act 446 of 2007, for construction, in a sum not to exceed .....\$132,842.

SECTION 9. REAPPROPRIATION - NATURAL RESOURCES MUSEUM GRANT. There is hereby appropriated, to the Department of Parks and Tourism, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Parks and Tourism, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (B) of Section 1 of Act 1697 of 2007, for a grant to natural resources museums in Arkansas, in a sum not to exceed .....\$20,000.

1 SECTION 10. REAPPROPRIATION - ARKANSAS STATE PARK IMPROVEMENTS. There is  
2 hereby appropriated, to the Department of Parks and Tourism, to be payable  
3 from the Arkansas Natural and Cultural Resources Grant and Trust Fund, for  
4 the Department of Parks and Tourism, the following:

5 (A) Effective July 1, 2009, the balance of the appropriation provided in  
6 Item (1) of Section 30 of Act 793 of 2007, for extra help for construction of  
7 the Cossatot River Trail Corridor, in a sum not to exceed .....\$38,401.

8 (B) Effective July 1, 2009, the balance of the appropriation provided in  
9 Item (1) of Section 30 of Act 793 of 2007, for payroll matching for the  
10 Cossatot River Trail Corridor project, in a sum not to exceed .....\$10,430.

11 (C) Effective July 1, 2009, the balance of the appropriation provided in  
12 Item (1) of Section 30 of Act 793 of 2007, for construction for 21 state park  
13 projects in various stages of design, construction, renovation and land  
14 acquisition, in a sum not to exceed .....\$8,044,107.

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16 SECTION 11. REAPPROPRIATION - ATTRACTING RETIREES. There is hereby  
17 appropriated, to the Department of Parks and Tourism, to be payable from the  
18 General Improvement Fund or its successor fund or fund accounts, for the  
19 Department of Parks and Tourism, the following:

20 (A) Effective July 1, 2009, the balance of the appropriation provided in  
21 Section 24 of Act 1227 of 2007, for the purpose of attracting retirees to the  
22 State of Arkansas, in a sum not to exceed .....\$500,000.

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24 SECTION 12. REAPPROPRIATION - AMPHITHEATER. There is hereby appropriated,  
25 to the Department of Parks and Tourism, to be payable from the General  
26 Improvement Fund or its successor fund or fund accounts, for the Department  
27 of Parks and Tourism, the following:

28 (A) Effective July 1, 2009, the balance of the appropriation provided in  
29 Item (A) of Section 27 of Act 1227 of 2007, for the constructing and  
30 equipping of an Amphitheater, in a sum not to exceed .....\$125,000.

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32 SECTION 13. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
33 obligations otherwise incurred in relation to the project or projects  
34 described herein in excess of the State Treasury funds actually available  
35 therefor as provided by law. Provided, however, that institutions and  
36 agencies listed herein shall have the authority to accept and use grants and

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

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

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 15 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 16 that any funds disbursed under the authority of the appropriations contained  
 17 in this act shall be in compliance with the stated reasons for which this act  
 18 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 19 and Legislative Recommendations contained in the budget manuals prepared by  
 20 the Department of Finance and Administration, letters, or summarized oral  
 21 testimony in the official minutes of the Arkansas Legislative Council or  
 22 Joint Budget Committee which relate to its passage and adoption.

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 24 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General  
 25 Assembly, that the Constitution of the State of Arkansas prohibits the  
 26 appropriation of funds for more than a one (1) year period; that the  
 27 effectiveness of this Act on July 1, 2009 is essential to the operation of  
 28 the agency for which the appropriations in this Act are provided, and that in  
 29 the event of an extension of the Regular Session, the delay in the effective  
 30 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
 31 proper administration and provision of essential governmental programs.  
 32 Therefore, an emergency is hereby declared to exist and this Act being  
 33 necessary for the immediate preservation of the public peace, health and  
 34 safety shall be in full force and effect from and after July 1, 2009.