

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

HOUSE BILL 1152

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.
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. REAPPROPRIATION - CENTRAL ADMINISTRATION - GENERAL IMPROVEMENT
22 FUNDS. There is hereby appropriated, to the Department of Arkansas Heritage,
23 to be payable from the General Improvement Fund or its successor fund or fund
24 accounts, for the Department of Arkansas Heritage, the following:

25 (A) Effective July 1, 2010, the balance of the appropriation provided in
26 Item (A) of Section 1 of Act 266 of 2009, for grants, maintenance,
27 renovation, equipping, construction, acquisition, improvement, upgrade and
28 repair projects for all state owned real property and facilities, in a sum
29 not to exceed\$1,500,000.

30 (B) Effective July 1, 2010, the balance of the appropriation provided in
31 Item (B) of Section 2 of Act 118 of 2009, for construction, purchase, and
32 acquisition of materials to build a permanent music stage and for the
33 development of a music sound studio for tourism, education, and cultural
34 enrichment and for other costs in Helena, Arkansas, in a sum not to exceed
35\$5,860.
36



1 SECTION 2. REAPPROPRIATION - CENTRAL ADMINISTRATION - SPECIAL REVENUE
2 FUNDS. There is hereby appropriated, to the Department of Arkansas Heritage,
3 to be payable from the Arkansas Department of Heritage Fund Account, for the
4 Department of Arkansas Heritage, the following:

5 (A) Effective July 1, 2010, the balance of the appropriation provided in
6 Item (A) of Section 1 of Act 118 of 2009 and Item (6) of Section 5 of Act
7 1228 of 2009, for Department of Arkansas Heritage Museum/Facility
8 Construction, in a sum not to exceed\$5,226,872.

9 (B) Effective July 1, 2010, the balance of the appropriation provided in
10 Item (B) of Section 1 of Act 118 of 2009 and Item (7) of Section 5 of Act
11 1228 of 2009, for Special Maintenance, in a sum not to exceed\$2,225,475.
12

13 SECTION 3. REAPPROPRIATION - ARKANSAS ARTS COUNCIL . There is hereby
14 appropriated, to the Department of Arkansas Heritage - Arts Council, to be
15 payable from the General Improvement Fund or its successor fund or fund
16 accounts, for the Department of Arkansas Heritage - Arts Council, the
17 following:

18 (A) Effective July 1, 2010, the balance of the appropriation provided in
19 Item (A) of Section 1 of Act 1146 of 2009, for grants for personal services,
20 operating, and capital expenses for Arts Councils including expenses for an
21 Artist in Residency Program, in a sum not to exceed\$150,000.

22 (B) Effective July 1, 2010, the balance of the appropriation provided in
23 Item (A) of Section 2 of Act 266 of 2009, for Cultural Regional Arts Grants
24 to non-profit arts organizations for personal services and operating
25 expenses, construction, land acquisition, renovation, major maintenance, and
26 purchase of equipment, in a sum not to exceed\$500,000.
27

28 SECTION 4. REAPPROPRIATION - DELTA CULTURAL CENTER. There is hereby
29 appropriated, to the Department of Arkansas Heritage - Delta Cultural Center,
30 to be payable from the Arkansas Natural and Cultural Resources Grant and
31 Trust Fund, for the Department of Arkansas Heritage - Delta Cultural Center,
32 the following:

33 (A) Effective July 1, 2010, the balance of the appropriation provided in
34 Section 30 of Act 1228 of 2009, for grants for the acquisition, management,
35 stewardship or preservation of state owned lands, historic sites, buildings,
36 structures or objects, in a sum not to exceed250,000.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 5. REAPPROPRIATION - HISTORIC ARKANSAS MUSEUM. There is hereby appropriated, to the Department of Arkansas Heritage - Historic Arkansas Museum, to be payable from the Arkansas Natural and Cultural Resources Grant and Trust Fund, for the Department of Arkansas Heritage - Historic Arkansas Museum, the following:

(A) Effective July 1, 2010, the balance of the appropriation provided in Section 30 of Act 1228 of 2009, for grants for the acquisition, management, stewardship or preservation of state owned lands, historic sites, buildings, structures or objects, in a sum not to exceed\$500,000.

SECTION 6. REAPPROPRIATION - HISTORIC PRESERVATION - GENERAL IMPROVEMENT FUNDS. There is hereby appropriated, to the Department of Arkansas Heritage - Historic Preservation, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Arkansas Heritage - Historic Preservation, the following:

(A) Effective July 1, 2010, the balance of the appropriation provided in Item (B) of Section 7 of Act 118 of 2009, for renovation and preservation of Veterans' Memorial Park, in a sum not to exceed\$11,429.

(B) Effective July 1, 2010, the balance of the appropriation provided in Item (A) of Section 1 of Act 1264 of 2009, for grants to eligible entities for operating, construction, improvements, equipment, renovation, and maintenance expenses associated with public buildings, community centers, memorials, parks, amphitheaters, recreation centers, and cemeteries, in a sum not to exceed\$10,000.

(C) Effective July 1, 2010, the balance of the appropriation provided in Item (A) of Section 1 of Act 1437 of 2009, for new construction, renovation, improvements, and equipping National Register of Historic Places properties, in a sum not to exceed\$75,000.

(D) Effective July 1, 2010, the balance of the appropriation provided in Item (A) of Section 2 of Act 839 of 2009, for personal services and operating expenses, costs of Arkansas Civil War Sesquicentennial Commission meetings, expenses associated with a website, podcast, design and publication of Arkansas Civil War Sesquicentennial materials which would include Arkansas's Black History, costs for a moderated discussion of the legacy and impact of the Civil War in Arkansas telecasted on AETN which also includes Arkansas's

1 Black History, and the cost of other associated activities at the Old State
2 House, in a sum not to exceed\$130,765.

3 (E) Effective July 1, 2010, the balance of the appropriation provided in
4 Item (B) of Section 2 of Act 839 of 2009, for grants for professional fees
5 and operating expenses for planning and implementing statewide exhibits and
6 events, in a sum not to exceed\$100,000.

7 (F) Effective July 1, 2010, the balance of the appropriation provided in
8 Item (A) of Section 1 of Act 894 of 2009, for operating expenses and grants
9 associated with historic preservation projects, in a sum not to exceed
10\$5,000,000.

11 (G) Effective July 1, 2010, the balance of the appropriation provided in
12 Item (A) of Section 1 of Act 933 of 2009, for grants for personal services,
13 operating, construction, renovation, equipping and major maintenance expenses
14 for historic preservation projects, in a sum not to exceed\$75,000.

15

16 SECTION 7. EXTRA HELP - HISTORIC PRESERVATION - CIVIL WAR SESQUICENTENNIAL
17 PROJECT. There is hereby authorized, for the Department of Arkansas Heritage
18 - Historic Preservation for the 2010-2011 fiscal year, the following maximum
19 number of part-time or temporary employees, to be known as "Extra Help",
20 payable from funds appropriated herein for such purposes: one (1) temporary
21 or part-time employees, when needed, at rates of pay not to exceed those
22 provided in the Uniform Classification and Compensation Act, or its
23 successor, or this act for the appropriate classification.

24

25 SECTION 8. REAPPROPRIATION - HISTORIC PRESERVATION - NCRC GRANTS. There is
26 hereby appropriated, to the Department of Arkansas Heritage - Historic
27 Preservation, to be payable from the Arkansas Natural and Cultural Resources
28 Grant and Trust Fund, for the Department of Arkansas Heritage - Historic
29 Preservation, the following:

30 (A) Effective July 1, 2010, the balance of the appropriation provided in
31 Section 30 of Act 1228 of 2009, for grants for the acquisition, management,
32 stewardship or preservation of state owned lands, historic sites, buildings,
33 structures or objects, in a sum not to exceed\$600,000.

34

35 SECTION 9. REAPPROPRIATION - MOSAIC TEMPLARS CULTURAL CENTER. There is
36 hereby appropriated, to the Department of Arkansas Heritage - Mosaic Templars

1 of America Center for African-American Culture and Business Enterprise, to be
2 payable from the Arkansas Natural and Cultural Resources Grant and Trust
3 Fund, for the Department of Arkansas Heritage - Mosaic Templars of America
4 Center for African-American Culture and Business Enterprise, the following:

5 (A) Effective July 1, 2010, the balance of the appropriation provided in
6 Section 30 of Act 1228 of 2009, for grants for the acquisition, management,
7 stewardship or preservation of state owned lands, historic sites, buildings,
8 structures or objects, in a sum not to exceed\$200,000.

9
10 SECTION 10. REAPPROPRIATION - NATURAL HERITAGE COMMISSION - GENERAL

11 IMPROVEMENT FUNDS. There is hereby appropriated, to the Department of
12 Arkansas Heritage - Natural Heritage Commission, to be payable from the
13 General Improvement Fund or its successor fund or fund accounts, for the
14 Department of Arkansas Heritage - Natural Heritage Commission, the following:

15 (A) Effective July 1, 2010, the balance of the appropriation provided in
16 Item (A) of Section 3 of Act 266 of 2009, for land acquisition/stewardship at
17 the Department of Arkansas Heritage natural areas, in a sum not to exceed
18\$1,441,600.

19
20 SECTION 11. REAPPROPRIATION - NATURAL HERITAGE COMMISSION - FEDERAL FUNDS.

21 There is hereby appropriated, to the Department of Arkansas Heritage -
22 Natural Heritage Commission, to be payable from the federal funds as
23 designated by the Chief Fiscal Officer of the State, for the Department of
24 Arkansas Heritage - Natural Heritage Commission, the following:

25 (A) Effective July 1, 2010, the balance of the appropriation provided in
26 Item (A) of Section 4 of Act 266 of 2009, for land acquisition/stewardship at
27 the Department of Arkansas Heritage natural areas, in a sum not to exceed
28\$1,022,400.

29
30 SECTION 12. REAPPROPRIATION - NATURAL HERITAGE COMMISSION - SPECIAL

31 REVENUE FUNDS. There is hereby appropriated, to the Department of Arkansas
32 Heritage - Natural Heritage Commission, to be payable from the Arkansas
33 Department of Heritage Fund Account, for the Department of Arkansas Heritage
34 - Natural Heritage Commission, the following:

35 (A) Effective July 1, 2010, the balance of the appropriation provided in
36 Item (A) of Section 10 of Act 118 of 2009 and Item (01) of Section 25 of Act

1 1228 of 2009, for the system of Natural Areas: Land Acquisition, Public
2 Access and Inventory capital project of the Department of Arkansas Heritage,
3 in a sum not to exceed\$950,000.
4

5 SECTION 13. REAPPROPRIATION - NATURAL HERITAGE COMMISSION - NCRC GRANTS.

6 There is hereby appropriated, to the Department of Arkansas Heritage -
7 Natural Heritage Commission, to be payable from the Arkansas Natural and
8 Cultural Resources Grant and Trust Fund, for the Department of Arkansas
9 Heritage - Natural Heritage Commission, the following:

10 (A) Effective July 1, 2010, the balance of the appropriation provided in
11 Section 30 of Act 1228 of 2009, for grants for the acquisition, management,
12 stewardship or preservation of state owned lands, historic sites, buildings,
13 structures or objects, in a sum not to exceed\$2,750,000.
14

15 SECTION 14. REAPPROPRIATION - OLD STATE HOUSE MUSEUM. There is hereby
16 appropriated, to the Department of Arkansas Heritage - Old State House, to be
17 payable from the Arkansas Natural and Cultural Resources Grant and Trust
18 Fund, for the Department of Arkansas Heritage - Old State House, the
19 following:

20 (A) Effective July 1, 2010, the balance of the appropriation provided in
21 Section 30 of Act 1228 of 2009, for grants for the acquisition, management,
22 stewardship or preservation of state owned lands, historic sites, buildings,
23 structures or objects, in a sum not to exceed\$700,000.
24

25 SECTION 15. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
26 obligations otherwise incurred in relation to the project or projects
27 described herein in excess of the State Treasury funds actually available
28 therefor as provided by law. Provided, however, that institutions and
29 agencies listed herein shall have the authority to accept and use grants and
30 donations including Federal funds, and to use its unobligated cash income or
31 funds, or both available to it, for the purpose of supplementing the State
32 Treasury funds for financing the entire costs of the project or projects
33 enumerated herein. Provided further, that the appropriations and funds
34 otherwise provided by the General Assembly for Maintenance and General
35 Operations of the agency or institutions receiving appropriation herein shall
36 not be used for any of the purposes as appropriated in this act.

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

7
 8 SECTION 16. LEGISLATIVE INTENT. It is the intent of the General Assembly
 9 that any funds disbursed under the authority of the appropriations contained
 10 in this act shall be in compliance with the stated reasons for which this act
 11 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 12 and Legislative Recommendations contained in the budget manuals prepared by
 13 the Department of Finance and Administration, letters, or summarized oral
 14 testimony in the official minutes of the Arkansas Legislative Council or
 15 Joint Budget Committee which relate to its passage and adoption.

16
 17 SECTION 17. EMERGENCY CLAUSE. It is found and determined by the General
 18 Assembly, that the Constitution of the State of Arkansas prohibits the
 19 appropriation of funds for more than a one (1) year period; that the
 20 effectiveness of this Act on July 1, 2010 is essential to the operation of
 21 the agency for which the appropriations in this Act are provided, and that in
 22 the event of an extension of the legislative session, the delay in the
 23 effective date of this Act beyond July 1, 2010 could work irreparable harm
 24 upon the proper administration and provision of essential governmental
 25 programs. Therefore, an emergency is hereby declared to exist and this Act
 26 being necessary for the immediate preservation of the public peace, health
 27 and safety shall be in full force and effect from and after July 1, 2010.