

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H2/9/11 H3/7/11
A Bill

HOUSE BILL 1333

5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
10 ARKANSAS HERITAGE; AND FOR OTHER PURPOSES.
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13 **Subtitle**

14 AN ACT FOR THE DEPARTMENT OF ARKANSAS
15 HERITAGE 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 - CENTRAL ADMINISTRATION - GENERAL
21 IMPROVEMENT FUNDS. There is hereby appropriated, to the Department of
22 Arkansas Heritage, to be payable from the General Improvement Fund or its
23 successor fund or fund accounts, for the Department of Arkansas Heritage the
24 following:

25 (A) Effective July 1, 2011, the balance of the appropriation provided
26 in Item (A) Section 1 of Act 260 of 2010, 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.
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31 SECTION 2. REAPPROPRIATION - CENTRAL ADMINISTRATION - SPECIAL REVENUE
32 FUNDS. There is hereby appropriated, to the Department of Arkansas Heritage,
33 to be payable from the Arkansas Department of Heritage Fund Account, for the
34 Department of Arkansas Heritage the following:

35 (A) Effective July 1, 2011, the balance of the appropriation provided
36 in Item (A) Section 2 of Act 260 of 2010 and Act 237 of 2010, for Department



1 of Arkansas Heritage Museum/Facility Construction, in a sum not to
2 exceed.....\$5,402,208.

3 (B) Effective July 1, 2011, the balance of the appropriation provided
4 in Item (B) Section 2 of Act 260 of 2010 and Act 237 of 2010, for Special
5 Maintenance, in a sum not to exceed.....\$2,482,353.

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7 SECTION 3. REAPPROPRIATION - ARKANSAS ARTS COUNCIL. There is hereby
8 appropriated, to the Department of Arkansas Heritage - Arts Council, to be
9 payable from the *General Improvement Fund or its successor fund or fund*
10 *accounts*, for the Department of Arkansas Heritage the following:

11 (A) Effective July 1, 2011, the balance of the appropriation provided
12 in Item (B) Section 3 of Act 260 of 2010, for Cultural Regional Arts Grants
13 to non-profit arts organizations for personal services and operating
14 expenses, construction, land acquisition, renovation, major maintenance, and
15 purchase of equipment, in a sum not to exceed.....\$500,000.

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17 SECTION 4. REAPPROPRIATION - DELTA CULTURAL CENTER. There is hereby
18 appropriated, to the Department of Arkansas Heritage - Delta Cultural Center,
19 to be payable from the Arkansas Natural and Cultural Resources Grant and
20 Trust Fund, for the Department of Arkansas Heritage the following:

21 (A) Effective July 1, 2011, the balance of the appropriation provided
22 in Sections 30 and 35 of Act 237 of 2010, for the acquisition, management,
23 stewardship or preservation of state owned lands, historic sites, buildings,
24 structures or objects, in a sum not to exceed.....\$300,000.

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26 SECTION 5. REAPPROPRIATION - MOSAIC TEMPLARS CULTURAL CENTER. There is
27 hereby appropriated, to the Department of Arkansas Heritage - Mosaic Templars
28 of America Center for African-American Culture and Business Enterprise, to be
29 payable from the Arkansas Natural and Cultural Resources Grant and Trust
30 Fund, for the Department of Arkansas Heritage the following:

31 (A) Effective July 1, 2011, the balance of the appropriation provided
32 in Sections 30 and 35 of Act 237 of 2010, for the acquisition, management,
33 stewardship or preservation of state owned lands, historic sites, buildings,
34 structures or objects, in a sum not to exceed.....\$400,000.

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36 SECTION 6. REAPPROPRIATION - OLD STATE HOUSE COMMISSION. There is

1 hereby appropriated, to the Department of Arkansas Heritage - Old State
2 House, to be payable from the Arkansas Natural and Cultural Resources Grant
3 and Trust Fund, for the Department of Arkansas Heritage the following:

4 (A) Effective July 1, 2011, the balance of the appropriation provided
5 in Sections 30 and 35 of Act 237 of 2010, for the acquisition, management,
6 stewardship or preservation of state owned lands, historic sites, buildings,
7 structures or objects, in a sum not to exceed.....\$700,000.

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9 SECTION 7. REAPPROPRIATION - HISTORIC PRESERVATION - GENERAL
10 IMPROVEMENT FUNDS. There is hereby appropriated, to the Department of
11 Arkansas Heritage - Historic Preservation, to be payable from the General
12 Improvement Fund or its successor fund or fund accounts, for the Department
13 of Arkansas Heritage - Historic Preservation the following:

14 (A) Effective July 1, 2011, the balance of the appropriation provided
15 in Item (D) Section 6 of Act 260 of 2010, for personal services and operating
16 expenses, costs of Arkansas Civil War Sesquicentennial Commission meetings,
17 expenses associated with a website, podcast, design and publication of
18 Arkansas Civil War Sesquicentennial materials which would include Arkansas's
19 Black History, costs for a moderated discussion of the legacy and impact of
20 the Civil War in Arkansas telecasted on AETN which also includes Arkansas's
21 Black History, and the cost of other associated activities at the Old State
22 House, in a sum not to exceed.....\$99,593.

23 (B) Effective July 1, 2011, the balance of the appropriation provided
24 in Item (E) Section 6 of Act 260 of 2010, for grants for professional fees
25 and operating expenses for planning and implementing statewide exhibits and
26 events, in a sum not to exceed.....\$25,000.

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28 SECTION 8. EXTRA HELP - HISTORIC PRESERVATION - CIVIL WAR
29 SESQUICENTENNIAL PROJECT. *There is hereby authorized, for the Department of*
30 *Arkansas Heritage - Historic Preservation for the 2011-2012 fiscal year, the*
31 *following maximum number of part-time or temporary employees, to be known as*
32 *"Extra Help", payable from funds appropriated herein for such purposes: one*
33 *(1) temporary or part-time employees, when needed, at rates of pay not to*
34 *exceed those provided in the Uniform Classification and Compensation Act, or*
35 *its successor, or this act for the appropriate classification.*

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1 SECTION 9. REAPPROPRIATION - HISTORIC PRESERVATION - NCRC GRANTS.

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

6 (A) Effective July 1, 2011, the balance of the appropriation provided
7 in Sections 30 and 35 of Act 237 of 2010, for the acquisition, management,
8 stewardship or preservation of state owned lands, historic sites, buildings,
9 structures or objects, in a sum not to exceed.....\$1,040,000.

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11 SECTION 10. REAPPROPRIATION - NATURAL HERITAGE COMMISSION - SPECIAL
12 REVENUE FUNDS. There is hereby appropriated, to the Department of Arkansas
13 Heritage - Natural Heritage Commission, to be payable from the Arkansas
14 Department of Heritage Fund Account, for the Department of Arkansas Heritage
15 - Natural Heritage Commission the following:

16 (A) Effective July 1, 2011, the balance of the appropriation provided
17 in Item (A) Section 12 of Act 260 of 2010 and Act 237 of 2010, for the system
18 of Natural Areas: Land Acquisition, Public Access and Inventory capital
19 project of the Department of Arkansas Heritage, in a sum not to exceed
20\$1,060,140.

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22 SECTION 11. REAPPROPRIATION - NATURAL HERITAGE COMMISSION - GENERAL
23 IMPROVEMENT FUNDS. There is hereby appropriated, to the Department of
24 Arkansas Heritage - Natural Heritage Commission, to be payable from the
25 General Improvement Fund or its successor fund or fund accounts, for the
26 Department of Arkansas Heritage - Natural Heritage Commission the following:

27 (A) Effective July 1, 2011, the balance of the appropriation provided
28 in Item (A) Section 10 of Act 260 of 2010, for land acquisition/stewardship
29 at the Department of Arkansas Heritage natural areas, in a sum not to exceed
30\$1,441,600.

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32 SECTION 12. REAPPROPRIATION - NATURAL HERITAGE COMMISSION - NCRC
33 GRANTS. There is hereby appropriated, to the Department of Arkansas Heritage
34 - Natural Heritage Commission, to be payable from the Arkansas Natural and
35 Cultural Resources Grant and Trust Fund, for the Department of Arkansas
36 Heritage - Natural Heritage Commission the following:

1 (A) Effective July 1, 2011, the balance of the appropriation provided
2 in Sections 30 and 35 of Act 237 of 2010, for the acquisition, management,
3 stewardship or preservation of state owned lands, historic sites, buildings,
4 structures or objects, in a sum not to exceed.....\$1,802,848.

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6 SECTION 13. REAPPROPRIATION - HISTORIC ARKANSAS MUSEUM. There is
7 hereby appropriated, to the Department of Arkansas Heritage - Historic
8 Arkansas Museum, to be payable from the Arkansas Natural and Cultural
9 Resources Grant and Trust Fund, for the Department of Arkansas Heritage -
10 Historic Arkansas Museum the following:

11 (A) Effective July 1, 2011, the balance of the appropriation provided
12 in Sections 30 and 35 of Act 237 of 2010, for the acquisition, management,
13 stewardship or preservation of state owned lands, historic sites, buildings,
14 structures or objects, in a sum not to exceed.....\$519,061.

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

28 (B) The restrictions of any applicable provisions of the State
29 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
30 Revenue Stabilization Law and any other applicable fiscal control laws of
31 this State and regulations promulgated by the Department of Finance and
32 Administration, as authorized by law, shall be strictly complied with in
33 disbursement of any funds provided by this act unless specifically provided
34 otherwise by law.

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36 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations
2 contained in this act shall be in compliance with the stated reasons for
3 which this act was adopted, as evidenced by the Agency Requests, Executive
4 Recommendations and Legislative Recommendations contained in the budget
5 manuals prepared by the Department of Finance and Administration, letters, or
6 summarized oral testimony in the official minutes of the Arkansas Legislative
7 Council or Joint Budget Committee which relate to its passage and adoption.
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9 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the
10 General Assembly, that the Constitution of the State of Arkansas prohibits
11 the appropriation of funds for more than a one (1) year period; that the
12 effectiveness of this Act on July 1, 2011 is essential to the operation of
13 the agency for which the appropriations in this Act are provided, and that in
14 the event of an extension of the legislative session, the delay in the
15 effective date of this Act beyond July 1, 2011 could work irreparable harm
16 upon the proper administration and provision of essential governmental
17 programs. Therefore, an emergency is hereby declared to exist and this Act
18 being necessary for the immediate preservation of the public peace, health
19 and safety shall be in full force and effect from and after July 1, 2011.
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21 */s/Joint Budget Committee*
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