

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012

# A Bill

SENATE BILL 24

4  
5 By: Joint Budget Committee  
6

## 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.

## Subtitle

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13 AN ACT FOR THE DEPARTMENT OF ARKANSAS  
14 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 - DAH 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, 2012, the balance of the appropriation provided  
26 in Item (A) Section 1 of Act 299 of 2011, 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.....\$250,000.

30 (B) Effective July 1, 2012, the balance of the appropriation provided  
31 in Item (A) Section 1 of Act 767 of 2011, for grants for professional fees,  
32 operating expenses, and costs associated with development, fabrication, and  
33 installation of historic markers for the Historic Marker Program focusing on  
34 African American Heritage, planning, development and construction of local  
35 exhibits and monuments centered on African American heritage, acquisition,  
36 archiving, restoring and organization of artwork and historical documents



1 relating to African American History, planning, design, and publication of  
2 African American Heritage materials including but not limited to podcasts,  
3 DVDs, and websites and costs associated with the collection of oral  
4 histories, and the preservation and restoration of African American  
5 cemeteries across the state, in a sum not to exceed.....\$2,000,000.

6 (C) Effective July 1, 2012, the balance of the appropriation provided  
7 in Item (A) Section 1 of Act 308 of 2011, for various maintenance,  
8 renovation, equipping, construction, acquisition, improvement, upgrade, and  
9 repair of real property and facilities, in a sum not to exceed  
10 .....\$3,000,000.

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12 SECTION 2. REAPPROPRIATION - DAH CENTRAL ADMINISTRATION - CONSERVATION  
13 TAX - AMENDMENT 75. There is hereby appropriated, to the Department of  
14 Arkansas Heritage, to be payable from the Arkansas Department of Heritage  
15 Fund Account, for the Department of Arkansas Heritage the following:

16 (A) Effective July 1, 2012, the balance of the appropriation provided  
17 in Item (A) Section 2 of Act 299 of 2011 and Act 692 of 2011, for Department  
18 of Arkansas Heritage Museum/Facility Construction, in a sum not to  
19 exceed.....\$5,987,007.

20 (B) Effective July 1, 2012, the balance of the appropriation provided  
21 in Item (B) Section 2 of Act 299 of 2011 and Act 692 of 2011, for Special  
22 Maintenance, in a sum not to exceed.....\$2,803,261.

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24 SECTION 3. REAPPROPRIATION - DAH DELTA CULTURAL CENTER - NCRC GRANTS.  
25 There is hereby appropriated, to the Department of Arkansas Heritage - Delta  
26 Cultural Center, to be payable from the Arkansas Natural and Cultural  
27 Resources Grant and Trust Fund, for the Department of Arkansas Heritage -  
28 Delta Cultural Center the following:

29 (A) Effective July 1, 2012, the balance of the appropriation provided  
30 in Sections 30 and 34 of Act 692 of 2011, for grants for the acquisition,  
31 management, stewardship or preservation of state owned lands, historic sites,  
32 buildings, structures or objects, in a sum not to exceed.....\$251,000.

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34 SECTION 4. REAPPROPRIATION - DAH ARKANSAS ARTS COUNCIL - GENERAL  
35 IMPROVEMENT FUNDS. There is hereby appropriated, to the Department of  
36 Arkansas Heritage - Arts Council, to be payable from the General Improvement

1 Fund or its successor fund or fund accounts, for the Department of Arkansas  
2 Heritage - Arts Council the following:

3 (A) Effective July 1, 2012, the balance of the appropriation provided  
4 in Item (A) Section 2 of Act 308 of 2011, for Community Arts Development  
5 Grants, in a sum not to exceed.....\$2,600,000.  
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7 SECTION 5. REAPPROPRIATION - DAH MOSAIC TEMPLARS CULTURAL CENTER - NCRC  
8 GRANTS. There is hereby appropriated, to the Department of Arkansas Heritage  
9 - Mosaic Templars of America Center for African-American Culture and Business  
10 Enterprise, to be payable from the Arkansas Natural and Cultural Resources  
11 Grant and Trust Fund, for the Department of Arkansas Heritage - Mosaic  
12 Templars of America Center for African-American Culture and Business  
13 Enterprise the following:

14 (A) Effective July 1, 2012, the balance of the appropriation provided  
15 in Sections 30 and 34 of Act 692 of 2011, for grants for the acquisition,  
16 management, stewardship or preservation of state owned lands, historic sites,  
17 buildings, structures or objects, in a sum not to exceed.....\$650,000.  
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19 SECTION 6. REAPPROPRIATION - DAH OLD STATE HOUSE COMMISSION - NCRC  
20 GRANTS. There is hereby appropriated, to the Department of Arkansas Heritage  
21 - Old State House, to be payable from the Arkansas Natural and Cultural  
22 Resources Grant and Trust Fund, for the Department of Arkansas Heritage - Old  
23 State House the following:

24 (A) Effective July 1, 2012, the balance of the appropriation provided  
25 in Sections 30 and 34 of Act 692 of 2011, for grants for the acquisition,  
26 management, stewardship or preservation of state owned lands, historic sites,  
27 buildings, structures or objects, in a sum not to exceed.....\$700,000.  
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29 SECTION 7. REAPPROPRIATION - DAH HISTORIC PRESERVATION COMMISSION -  
30 GENERAL IMPROVEMENT FUNDS. There is hereby appropriated, to the Department  
31 of Arkansas Heritage - Historic Preservation, to be payable from the General  
32 Improvement Fund or its successor fund or fund accounts, for the Department  
33 of Arkansas Heritage - Historic Preservation the following:

34 (A) Effective July 1, 2012, the balance of the appropriation provided  
35 in Item (A) Section 7 of Act 299 of 2011, for personal services and operating  
36 expenses, costs of Arkansas Civil War Sesquicentennial Commission meetings,

1 expenses associated with a website, podcast, design and publication of  
2 Arkansas Civil War Sesquicentennial materials which would include Arkansas's  
3 Black History, costs for a moderated discussion of the legacy and impact of  
4 the Civil War in Arkansas telecasted on AETN which also includes Arkansas's  
5 Black History, and the cost of other associated activities at the Old State  
6 House, in a sum not to exceed.....\$42,125.

7 (B) Effective July 1, 2012, the balance of the appropriation provided  
8 in Item (B) Section 7 of Act 299 of 2011, for grants for professional fees  
9 and operating expenses for planning and implementing statewide exhibits and  
10 events, in a sum not to exceed.....\$4,275.

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12 SECTION 8. EXTRA HELP - HISTORIC PRESERVATION - CIVIL WAR  
13 SESQUICENTENNIAL PROJECT. There is hereby authorized, for the Department of  
14 Arkansas Heritage - Historic Preservation for the 2012-2013 fiscal year, the  
15 following maximum number of part-time or temporary employees, to be known as  
16 "Extra Help", payable from funds appropriated herein for such purposes: one  
17 (1) temporary or part-time employees, when needed, at rates of pay not to  
18 exceed those provided in the Uniform Classification and Compensation Act, or  
19 its successor, or this act for the appropriate classification.

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21 SECTION 9. REAPPROPRIATION - DAH HISTORIC PRESERVATION - NCRC GRANTS.  
22 There is hereby appropriated, to the Department of Arkansas Heritage -  
23 Historic Preservation, to be payable from the Arkansas Natural and Cultural  
24 Resources Grant and Trust Fund, for the Department of Arkansas Heritage -  
25 Historic Preservation the following:

26 (A) Effective July 1, 2012, the balance of the appropriation provided  
27 in Sections 30 and 34 of Act 692 of 2011, for grants for the acquisition,  
28 management, stewardship or preservation of state owned lands, historic sites,  
29 buildings, structures or objects, in a sum not to exceed.....\$750,000.

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31 SECTION 10. REAPPROPRIATION - DAH NATURAL HERITAGE - LAND ACQUISITION.  
32 There is hereby appropriated, to the Department of Arkansas Heritage -  
33 Natural Heritage Commission, to be payable from the Arkansas Department of  
34 Heritage Fund Account, for the Department of Arkansas Heritage - Natural  
35 Heritage Commission the following:

36 (A) Effective July 1, 2012, the balance of the appropriation provided

1 in Item (A) Section 10 of Act 299 of 2011 and Act 692 of 2011, for the system  
2 of Natural Areas: Land Acquisition, Public Access and Inventory capital  
3 project of the Department of Arkansas Heritage, in a sum not to exceed  
4 .....\$950,000.

6 SECTION 11. REAPPROPRIATION - DAH NATURAL HERITAGE - NCRC GRANTS.

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

11 (A) Effective July 1, 2012, the balance of the appropriation provided  
12 in Sections 30 and 34 of Act 692 of 2011, for grants for the acquisition,  
13 management, stewardship or preservation of state owned lands, historic sites,  
14 buildings, structures or objects, in a sum not to exceed.....\$1,935,793.

16 SECTION 12. REAPPROPRIATION - DAH HISTORIC ARKANSAS MUSEUM - NCRC  
17 GRANTS. There is hereby appropriated, to the Department of Arkansas Heritage  
18 - Historic Arkansas Museum, to be payable from the Arkansas Natural and  
19 Cultural Resources Grant and Trust Fund, for the Department of Arkansas  
20 Heritage - Historic Arkansas Museum the following:

21 (A) Effective July 1, 2012, the balance of the appropriation provided  
22 in Sections 30 and 34 of Act 692 of 2011, for grants for the acquisition,  
23 management, stewardship or preservation of state owned lands, historic sites,  
24 buildings, structures or objects, in a sum not to exceed.....\$604,500.

26 SECTION 13. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
27 obligations otherwise incurred in relation to the project or projects  
28 described herein in excess of the State Treasury funds actually available  
29 therefor as provided by law. Provided, however, that institutions and  
30 agencies listed herein shall have the authority to accept and use grants and  
31 donations including Federal funds, and to use its unobligated cash income or  
32 funds, or both available to it, for the purpose of supplementing the State  
33 Treasury funds for financing the entire costs of the project or projects  
34 enumerated herein. Provided further, that the appropriations and funds  
35 otherwise provided by the General Assembly for Maintenance and General  
36 Operations of the agency or institutions receiving appropriation herein shall

1 not be used for any of the purposes as appropriated in this act.

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

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

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19 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the  
20 General Assembly, that the Constitution of the State of Arkansas prohibits  
21 the appropriation of funds for more than a one (1) year period; that the  
22 effectiveness of this Act on July 1, 2012 is essential to the operation of  
23 the agency for which the appropriations in this Act are provided, and that in  
24 the event of an extension of the legislative session, the delay in the  
25 effective date of this Act beyond July 1, 2012 could work irreparable harm  
26 upon the proper administration and provision of essential governmental  
27 programs. Therefore, an emergency is hereby declared to exist and this Act  
28 being necessary for the immediate preservation of the public peace, health  
29 and safety shall be in full force and effect from and after July 1, 2012.

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