

State of Arkansas

76th General Assembly

Regular Session, 1987

SENATE BILL 642

By: Senator Cassady

As engrossed 3-12-87 As engrossed 3-19-87

As engrossed 4-1-87

"AN ACT TO PERMIT THE PARKS, RECREATION AND TRAVEL COMMISSION TO ENTER INTO LEASE ARRANGEMENTS FOR COMMERCIAL PRODUCTION OF DIAMONDS AT THE CRATER OF DIAMONDS STATE PARK IN A MANNER CONSISTENT WITH THE OPERATION OF THE STATE PARK; AND FOR OTHER PURPOSES."

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

SECTION 1. The Arkansas Parks, Recreation and Travel Commission, hereinafter referred to as the Commission, through the Department of Parks and Tourism, is hereby authorized to execute a lease, after securing the advice of the Legislative Council, for the exploration and production of diamonds at the Crater of Diamonds State Park. The lease may be executed pursuant to the solicitation of bids or pursuant to negotiation without bids as may be determined by the Commission. The lease may include such area of the park lands and may provide for such royalty payments on the production of diamonds as the Commission may deem appropriate.

SECTION 2. The authority granted the Commission in this Act shall be exclusive and neither the provisions of Act 524 of 1975, as amended, nor any other provisions of law shall be applicable with respect to the leasing of lands in the Crater of Diamonds State Park for the exploration for and production of diamonds. The Commission, after securing the advice of the Legislative Council, shall have full authority to determine whether such lease shall be executed, the area of the park to be included in any such lease, the method of selecting the lessee, benefits and improvements for the park to be made by the lessee, the royalty payments to be paid the Commission by any lessee, and any and all other terms of the lease.

SECTION 3. If a lease is executed by the Commission for the exploration and production of diamonds at the Crater of Diamonds State Park as authorized herein, seventy-five percent (75%) of all royalty payments received by the Commission under the lease shall be deposited by the Commission in the State Treasury as "general revenues" and shall be allocated and distributed to various funds and fund accounts in the State Treasury as is provided for other general revenues. The remaining twenty-five percent (25%) of all royalty payments received under such lease shall be State Parks cash funds and shall be retained by the Commission and deposited in an appropriate account. The first two hundred thousand dollars (\$200,000.00) of the royalty payments retained by the Commission each year shall be spent for maintenance and improvements at the Crater of Diamonds State Park and the balance thereof shall be used for such purposes as may be prescribed by appropriation of the General Assembly.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

/s/ Cassady

