

State of Arkansas  
88th General Assembly  
Fiscal Session, 2012

# A Bill

SENATE BILL 24

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF  
ARKANSAS HERITAGE; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF ARKANSAS  
HERITAGE REAPPROPRIATION.

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

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

(A) Effective July 1, 2012, the balance of the appropriation provided  
in Item (A) Section 1 of Act 299 of 2011, for grants, maintenance,  
renovation, equipping, construction, acquisition, improvement, upgrade and  
repair projects for all state owned real property and facilities, in a sum  
not to exceed.....\$250,000.

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archiving, restoring and organization of artwork and historical documents



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

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

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

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

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

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

(A) Effective July 1, 2012, the balance of the appropriation provided in Sections 30 and 34 of Act 692 of 2011, 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.....\$251,000.

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

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

(A) Effective July 1, 2012, the balance of the appropriation provided in Item (A) Section 2 of Act 308 of 2011, for Community Arts Development Grants, in a sum not to exceed.....\$2,600,000.

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

(A) Effective July 1, 2012, the balance of the appropriation provided in Sections 30 and 34 of Act 692 of 2011, 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.....\$650,000.

SECTION 6. REAPPROPRIATION - DAH OLD STATE HOUSE COMMISSION - NCRC GRANTS. There is hereby appropriated, to the Department of Arkansas Heritage - Old State House, to be payable from the Arkansas Natural and Cultural Resources Grant and Trust Fund, for the Department of Arkansas Heritage - Old State House the following:

(A) Effective July 1, 2012, the balance of the appropriation provided in Sections 30 and 34 of Act 692 of 2011, 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.....\$700,000.

SECTION 7. REAPPROPRIATION - DAH HISTORIC PRESERVATION COMMISSION - 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, 2012, the balance of the appropriation provided in Item (A) Section 7 of Act 299 of 2011, 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 Black History, and the cost of other associated activities at the Old State House, in a sum not to exceed.....\$42,125.

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

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

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

(A) Effective July 1, 2012, the balance of the appropriation provided in Sections 30 and 34 of Act 692 of 2011, 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.....\$750,000.

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

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

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

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

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

(A) Effective July 1, 2012, the balance of the appropriation provided in Sections 30 and 34 of Act 692 of 2011, 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.....\$1,935,793.

SECTION 12. REAPPROPRIATION - DAH HISTORIC ARKANSAS MUSEUM - NCRC

GRANTS. 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, 2012, the balance of the appropriation provided in Sections 30 and 34 of Act 692 of 2011, 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.....\$604,500.

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

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

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

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

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