

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

A Bill

SENATE BILL 635

4
5 By: Senator Files

For An Act To Be Entitled

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7
8 AN ACT TO MAKE AN APPROPRIATION FOR A GRANT PROGRAM
9 FOR THE UNITED STATES MARSHALS MUSEUM FOR THE
10 DEPARTMENT OF PARKS AND TOURISM FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Subtitle

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15 AN ACT FOR THE DEPARTMENT OF PARKS AND
16 TOURISM - UNITED STATES MARSHALS MUSEUM
17 GRANT PROGRAM APPROPRIATION FOR THE 2011-
18 2012 FISCAL YEAR.

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

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23 SECTION 1. APPROPRIATION - UNITED STATES MARSHALS MUSEUM GRANT PROGRAM.
24 There is hereby appropriated, to the Department of Parks and Tourism, to be
25 payable from the General Improvement Fund or its successor fund or fund
26 accounts, the following:

27 (A) To develop, implement, and administer a grant program that provides
28 funding to assist with the development, construction, and maintenance of a
29 United States Marshals Museum, in a sum not to exceed.....\$25,000,000.

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31 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT
33 ELIGIBILITY. To be eligible for a grant under this act, an entity must
34 establish that it is a nonprofit non-governmental 501(c)(3) organization with
35 a mission to form a national center of heritage and legacy within the State
36 of Arkansas dedicated to United States Marshals.



1 The provisions of this section shall be in effect only from July 1,
2 2011 through June 30, 2012.

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4 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FINDINGS,
6 PURPOSE, AND LEGISLATIVE INTENT.

7 (a) The General Assembly finds that:

8 (1) The United States Marshals have played a significant role in
9 the settlement of the State of Arkansas and the United States;

10 (2) The United States Marshals Service, established on September
11 24, 1789, as part of the Judiciary Act that was the first bill passed in
12 Congress and signed into law by George Washington, is the oldest federal law
13 enforcement agency in the nation;

14 (3) Although originally established to protect the judiciary,
15 the United States Marshals were often called the other duties as assigned
16 agency because of their broad powers as evidenced by their call in 1794 to
17 protect tax collectors during the Whiskey Rebellion and responsibility for
18 enforcing the Fugitive Slave Act in 1850;

19 (4) Today, there are 94 United States Marshals, one for each
20 federal district, who continue to be appointed by and serve at the pleasure
21 of the President of the United States, and numerous Deputy Marshals
22 responsible for carrying out the day-to-day duties of the United States
23 Marshals Service as civil servants;

24 (5) Because of the over two hundred (200) year honorable history
25 of the United States Marshals Service, the cultural and economic development
26 of this state would benefit by the construction, operation, and maintenance
27 of a museum honoring the United States Marshals Service; and

28 (6) Since there currently is not a museum in the country
29 honoring the United States Marshals Service, having the only museum dedicated
30 to the oldest federal law enforcement agency in the nation would bring
31 national and regional attention to the state, increase tourism, create jobs,
32 promote economic and cultural development, and promote the planning and
33 development of infrastructure and resources to support the increased
34 activity, all of which would have a substantial positive impact on the state
35 as a whole.

36 (b) The General Assembly further finds and determines that:

1 (1) The construction, development, and maintenance of museums
2 devoted to honoring the historical significance of the United States Marshals
3 Service are noble, public purposes that will provide educational
4 opportunities for all citizens in the State of Arkansas, promote industry and
5 tourism, and provide economic development to cities and towns within the
6 state;

7 (2) Any funds obtained from a state or local government, a
8 public, private, or nonprofit entity, or an individual intended to assist in
9 the construction, development, or maintenance of a United States Marshals
10 museum or exhibit would inure to the benefit of the people of this State by
11 defraying development and operational costs and expenses; and

12 (3) All funding provided for the construction, development, or
13 maintenance of a United States Marshals museum or exhibit is found to be for
14 a public purpose benefitting the public good and that any funds given,
15 allocated, or loaned to a United States Marshals museum or exhibit by any
16 state or local government is conclusively presumed to be for public uses and
17 purposes.

18 The provisions of this section shall be in effect only from July 1,
19 2011 through June 30, 2012.

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21 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
22 obligations otherwise incurred in relation to the project or projects
23 described herein in excess of the State Treasury funds actually available
24 therefor as provided by law. Provided, however, that institutions and
25 agencies listed herein shall have the authority to accept and use grants and
26 donations including Federal funds, and to use its unobligated cash income or
27 funds, or both available to it, for the purpose of supplementing the State
28 Treasury funds for financing the entire costs of the project or projects
29 enumerated herein. Provided further, that the appropriations and funds
30 otherwise provided by the General Assembly for Maintenance and General
31 Operations of the agency or institutions receiving appropriation herein shall
32 not be used for any of the purposes as appropriated in this act.

33 (B) The restrictions of any applicable provisions of the State
34 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
35 Revenue Stabilization Law and any other applicable fiscal control laws of
36 this State and regulations promulgated by the Department of Finance and

1 Administration, as authorized by law, shall be strictly complied with in
2 disbursement of any funds provided by this act unless specifically provided
3 otherwise by law.

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5 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
6 Assembly that any funds disbursed under the authority of the appropriations
7 contained in this act shall be in compliance with the stated reasons for
8 which this act was adopted, as evidenced by the Agency Requests, Executive
9 Recommendations and Legislative Recommendations contained in the budget
10 manuals prepared by the Department of Finance and Administration, letters, or
11 summarized oral testimony in the official minutes of the Arkansas Legislative
12 Council or Joint Budget Committee which relate to its passage and adoption.

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14 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
15 Assembly, that the Constitution of the State of Arkansas prohibits the
16 appropriation of funds for more than a one (1) year period; that the
17 effectiveness of this Act on July 1, 2011 is essential to the operation of
18 the agency for which the appropriations in this Act are provided, and that in
19 the event of an extension of the legislative session, the delay in the
20 effective date of this Act beyond July 1, 2011 could work irreparable harm
21 upon the proper administration and provision of essential governmental
22 programs. Therefore, an emergency is hereby declared to exist and this Act
23 being necessary for the immediate preservation of the public peace, health
24 and safety shall be in full force and effect from and after July 1, 2011.

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APPROVED: 03/24/2011

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