

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 379 of 2001
SENATE BILL 465

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
10 CORRECTION AND THE DEPARTMENT OF COMMUNITY PUNISHMENT
11 FOR CONSTRUCTION, RENOVATION, EQUIPMENT, REPAIR, LEASE
12 PAYMENTS AND FARM RECEIPTS REPLACEMENT; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF CORRECTION
17 AND DEPARTMENT OF COMMUNITY PUNISHMENT
18 CAPITAL IMPROVEMENT APPROPRIATION.
19
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. APPROPRIATIONS – DEPARTMENT OF CORRECTION - GENERAL IMPROVEMENT.

24 There is hereby appropriated, to the Department of Correction, to be payable
25 from the General Improvement Fund or its successor fund or fund accounts, the
26 following:
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28 (A) For the construction, acquisition, renovation, purchase of equipment,
29 lease and rental, major maintenance and replacement for various correctional
30 facilities, the sum of \$3,000,000.

31 (B) For farm receipts replacement moneys used for costs of operating the
32 Department of Correction Farm Program, the sum of \$12,000,000.

33 (C) For lease payments associated with debt service on a 948-bed
34 Institution at Malvern and a 400-bed addition at the Grimes Unit at Newport,
35 the sum of \$6,400,000.
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1 SECTION 2. APPROPRIATIONS – DEPARTMENT OF CORRECTION - FEDERAL. There is
2 hereby appropriated, to the Department of Correction, to be payable from the
3 federal funds as designated by the Chief Fiscal Officer of the State, the
4 following:

5 (A) For costs associated with the Varner Unit Phase III Expansion and to
6 include Phase IV, the sum of\$9,701,901.

7 (B) For costs associated with the construction of the helicopter evacuation
8 sites at various units of the Department of Correction, the sum of ..\$393,750.

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10 SECTION 3. APPROPRIATIONS – DEPARTMENT OF COMMUNITY PUNISHMENT - GENERAL
11 IMPROVEMENT. There is hereby appropriated, to the Department of Community
12 Punishment, to be payable from the General Improvement Fund or its successor
13 fund or fund accounts, the following:

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15 (A) For costs associated with the construction, major maintenance
16 renovation and purchase of equipment for various capital projects or facility
17 improvements, the sum of\$500,000.

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

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

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SECTION 5. 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 6. 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 two (2) year period; that the effectiveness of this Act on July 1, 2001 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 Regular Session, the delay in the effective date of this Act beyond July 1, 2001 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, 2001.

APPROVED: 2/22/2001