

State of Arkansas
77th General Assembly
First Extraordinary Session, 1989
By: Joint Budget Committee

SB53

For An Act To Be Entitled
"AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT
APPROPRIATIONS FOR THE DEPARTMENT OF CORRECTION; AND FOR
OTHER PURPOSES."

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

SECTION 1. GENERAL IMPROVEMENT. There is hereby appropriated to the Department of Correction, to be payable from the General Improvement Fund or its successor fund or fund accounts for the Department of Correction, the following:

(A) Effective June 29, 1989, the balance of the appropriation provided in Item (1) of Section 1 of Act 551 of 1987 for the purchase of security equipment and improvements to the security facilities at the Department of Correction, in a sum not to exceed \$45,723.

(B) Effective April 15, 1989, the balance of the appropriation provided in Item (3) of Section 1 of Act 551 of 1987 for constructing, repairing and equipping a maximum security unit at Cummins, in a sum not to exceed \$35,401.

(C) Effective June 29, 1989, the balance of the appropriation provided in Item (4) of Section 1 of Act 551 of 1987 for construction of a 700 bed minimum/medium security unit, in a sum not to exceed \$248,011.

(D) Effective June 30, 1989, the balance of the appropriation provided in Item (5) of Section 1 of Act 551 of 1987 for construction, additions to, major maintenance renovation and repair of security facilities and other various facilities of the Department of Correction, in a sum not to exceed \$ 5,866.

(E) Effective April 2, 1989, the balance of the appropriation provided in Item (8) of Section 1 of Act 551 of 1987 for constructing and equipping a 700 bed minimum/medium security unit, in a sum not to exceed \$1,064,149.

(F) Effective June 30, 1989, the balance of the appropriation provided in Item (A) of Section 1 of Act 923 of 1987 for constructing and equipping a Regional Jail at Pine Bluff, in a sum not to exceed \$2,400,000.

(G) Effective June 30, 1989, the balance of the appropriation provided in Item (B) of Section 1 of Act 923 of 1987 for constructing and equipping a Special Programs Unit, in a sum not to exceed \$ 432,000.

(H) Effective June 30, 1989, the balance of the appropriation provided in Item (C) of Section 1 of Act 923 of 1987 for constructing and equipping Regional Inmate Facilities, in a sum not to exceed \$2,400,000.

SECTION 2. SPECIAL REVENUE. There is hereby appropriated to the Department of Correction, to be payable from the Department of Correction Prison Industry Fund for the Department of Correction, the following:

(A) Effective June 29, 1989, the balance of the appropriation provided in Item (1) of Section 2 of Act 551 of 1987 for construction, major maintenance, renovation and repair of the Department of Correction Industry Facilities, in a sum not to exceed \$257,776.

SECTION 3. There is hereby appropriated to the Department of Correction, to be payable from the Public Facilities Construction Fund for the Department of Correction, the following:

(A) Effective June 29, 1989, the balance of the appropriation provided in Item (1) of Section 3 of Act 551 of 1987 for various farm expansion projects, in a sum not to exceed \$ 40,051.

(B) Effective June 29, 1989, the balance of the appropriation provided in Item (2) of Section 3 of Act 551 of 1987 for various industry expansion projects, in a sum not to exceed \$953,594.

SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded or 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 the 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, and/or funds available to it, for the purpose of supplementing the said State Treasury funds for financing the entire costs of said project or projects.

Provided further, that the appropriations and funds otherwise provided by the General Assembly for maintenance and general operation of the said Institutions and Agencies shall not be used for any of the purposes set out in this Act.

(B) The General Accounting Procedures Law, the State Purchasing Law, the Revenue Stabilization Law, and other applicable fiscal laws of the State, or their successors, shall be strictly complied with, with respect to use of any funds provided by this Act.

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. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code. Act 967 of 1989 is hereby repealed.

SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects enumerated in this Act; that certain appropriations will expire before the adjournment of the Regular Session; and that if such appropriations expire, the programs authorized by such appropriations would cease, thereby depriving the citizens of the State of the benefits to be derived from such projects. 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 its passage and approval.

