

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
10 CORRECTION; AND FOR OTHER PURPOSES."

Subtitle

13 "AN ACT FOR THE DEPARTMENT OF CORRECTION REAPPROPRIATION."

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

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

21 (A) Effective July 1, 1993, the balance of the appropriation provided
22 in Item (F) of Section 1 of Act 521 of 1991, for constructing and equipping
23 Regional Inmate Facilities, in a sum not to exceed\$282,277.

24
25 (B) Effective July 1, 1993, the balance of the appropriation provided
26 in Item (B) of Section 1 of Act 947 of 1991, for waste water treatment
27 improvements, in a sum not to exceed\$1,287,656.

28
29 (C) Effective July 1, 1993, the balance of the appropriation provided
30 in Item (C) of Section 1 of Act 947 of 1991, for completion of the Jefferson
31 County Detention Facility, in a sum not to exceed\$450,000.

32
33 (D) Effective July 1, 1993, the balance of the appropriation provided
34 in Item (D) of Section 1 of Act 947 of 1991, for kitchen renovations and
35 equipment at the Wrightsville Unit, in a sum not to exceed\$138,000.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

(E) Effective July 1, 1993, the balance of the appropriation provided in Item (E) of Section 1 of Act 947 of 1991, for the purchase of laundry equipment at the Wrightsville Unit, in a sum not to exceed\$45,080.

(F) Effective July 1, 1993, the balance of the appropriation provided in Item (F) of Section 1 of Act 947 of 1991, for the purchase and installation of a 12" water main at the Wrightsville Unit, in a sum not to exceed\$75,000.

(G) Effective July 1, 1993, the balance of the appropriation provided in Item (N) of Section 1 of Act 947 of 1991, for the purchase of equipment for new facilities, in a sum not to exceed\$300,000.

SECTION 2. REAPPROPRIATION - 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 30, 1993, the balance of the appropriation provided in Item (A) of Section 3 of Act 521 of 1991, for construction, major maintenance, renovation and repair of the Department of Correction Industry Facilities, in a sum not to exceed\$245,232.

SECTION 3. REAPPROPRIATION. 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 30, 1993, the balance of the appropriation provided in Item (A) of Section 2 of Act 521 of 1991, for various farm expansion projects, in a sum not to exceed\$11,413.

(B) Effective June 30, 1993, the balance of the appropriation provided in Item (B) of Section 2 of Act 521 of 1991, for various industry expansion projects, in a sum not to exceed\$72,535.

SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor

1 obligations otherwise incurred in relation to the project or projects
2 described herein in excess of the State Treasury funds actually available
3 therefor as provided by law. Provided, however, that institutions and
4 agencies listed herein shall have the authority to accept and use grants and
5 donations including Federal funds, and to use its unobligated cash income or
6 funds, or both available to it, for the purpose of supplementing the State
7 Treasury funds for financing the entire costs of the project or projects
8 enumerated herein. Provided further, that the appropriations and funds
9 otherwise provided by the General Assembly for Maintenance and General
10 Operations of the agency or institutions receiving appropriation herein shall
11 not be used for any of the purposes as appropriated in this Act.

12 (B) Any restrictions contained in the Acts enumerated in the
13 reappropriation sections of this Act, the restrictions of any applicable
14 provisions of the State Purchasing Law, the General Accounting and Budgetary
15 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal
16 control laws of this State and regulations promulgated by the Department of
17 Finance and Administration, as authorized by law, shall be strictly complied
18 with in disbursement of any funds provided by this Act unless specifically
19 provided otherwise by law.

20

21 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
22 Assembly that any funds disbursed under the authority of the appropriations
23 contained in this Act shall be in compliance with the stated reasons for which
24 this Act was adopted, as evidenced by the Agency Requests, Executive
25 Recommendations and Legislative Recommendations contained in the budget
26 manuals prepared by the Department of Finance and Administration, letters, or
27 summarized oral testimony in the official minutes of the Arkansas Legislative
28 Council or Joint Budget Committee which relate to its passage and adoption.

29

30 SECTION 6. CODE. All provisions of this Act of a general and permanent
31 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
32 Code Revision Commission shall incorporate the same in the Code.

33

34 SECTION 7. SEVERABILITY. If any provision of this Act or the
35 application thereof to any person or circumstance is held invalid, such

1 invalidity shall not affect other provisions or applications of the Act which
2 can be given effect without the invalid provision or application, and to this
3 end the provisions of this Act are declared to be severable.

4

5 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
6 with this Act are hereby repealed.

7

8 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
9 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
10 prohibits the appropriation of funds for more than a two (2) year period; that
11 previous General Assemblies have provided appropriations for the projects
12 provided enumerated in this act; that certain appropriations will expire
13 before the adjournment of the General Assembly; and that if such
14 appropriations expire, the projects and programs authorized herein will cease
15 thereby depriving the citizens of the State of the benefits to be derived from
16 such projects. Therefore, an emergency is hereby declared to exist and this
17 Act being necessary for the immediate preservation of the public peace, health
18 and safety shall be in full force and effect from and after the date of its
19 passage and approval.

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

- 1
- 2
- 3
- 4