

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A BILL ACT 521 OF 1991
SENATE BILL 498

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. REAPPROPRIATION - 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 30, 1991, the balance of the appropriation provided
in Item (F) of Section 1 of Act 54 of the First Extraordinary Session of 1989,
for constructing and equipping a Regional Jail at Pine Bluff, in a sum not to
exceed \$325,511.

(B) Effective April 15, 1991, the balance of the appropriation provided
in Item (B) of Section 1 of Act 54 of the First Extraordinary Session of 1989,
for constructing, repairing and equipping a maximum security unit at Cummins,
in a sum not to exceed \$6,447.

(C) Effective June 29, 1991, the balance of the appropriation provided
in Item (C) of Section 1 of Act 54 of the First Extraordinary Session of 1989,
for construction of a 700 bed minimum/medium security unit, in a sum not to
exceed \$6,832.

(D) Effective June 30, 1991, the balance of the appropriation provided
in Item (G) of Section 1 of Act 54 of the First Extraordinary Session of 1989,
for constructing and equipping a Special Programs Unit, in a sum not to exceed
\$357,019.

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2 (E) Effective July 1, 1991, the balance of the appropriation provided
3 in Item (A) of Section 1 of Act 43 of the First Extraordinary Session of 1989,
4 for the Jefferson County Detention Facility completion of construction, in a
5 sum not to exceed \$338,747.

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7 (F) Effective June 30, 1991, the balance of the appropriation provided
8 in Item (H) of Section 1 of Act 54 of the First Extraordinary Session of 1989,
9 for constructing and equipping Regional Inmate Facilities, in a sum not to
10 exceed \$183,597.

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12 (G) Effective April 2, 1991, the balance of the appropriation provided
13 in Item (E) of Section 1 of Act 54 of the First Extraordinary Session of 1989,
14 for constructing and equipping a 700 bed minimum/medium security unit, in a
15 sum not to exceed \$22,771.

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17 (H) Effective July 1, 1991, the balance of the appropriation provided
18 in Item (B) of Section 1 of Act 43 of the First Extraordinary Session of 1989,
19 for purchase of capital equipment for new units, in a sum not to exceed
20 \$395,000.

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22 (I) Effective July 1, 1991, the balance of the appropriation provided
23 in Item (C) of Section 1 of Act 43 of the First Extraordinary Session of 1989,
24 for constructing new work release centers, in a sum not to exceed .. \$600,000.

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26 (J) Effective July 1, 1991, the balance of the appropriation provided
27 in Item (D) of Section 1 of Act 43 of the First Extraordinary Session of 1989,
28 for construction and equipment of the Chicot County Facility, in a sum not to
29 exceed \$984,808.

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31 SECTION 2. REAPPROPRIATION. There is hereby appropriated, to the
32 Department of Correction, to be payable from the Public Facilities
33 Construction Fund, for the Department of Correction, the following:

34 (A) Effective June 29, 1991, the balance of the appropriation provided
35 in Item (A) of Section 3 of Act 54 of the First Extraordinary Session of 1989,

1 for various farm expansion projects, in a sum not to exceed\$39,603.
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3 (B) Effective June 29, 1991, the balance of the appropriation provided
4 in Item (B) of Section 3 of Act 54 of the First Extraordinary Session of 1989,
5 for various industry expansion projects, in a sum not to exceed\$75,397.
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7 SECTION 3. REAPPROPRIATION - SPECIAL REVENUE. There is hereby
8 appropriated, to the Department of Correction, to be payable from the
9 Department of Correction Prison Industry Fund, for the Department of
10 Correction, the following:

11 (A) Effective June 29, 1991, the balance of the appropriation provided
12 in Item (A) of Section 2 of Act 54 of the First Extraordinary Session of 1989,
13 for construction, major maintenance, renovation and repair of the Department
14 of Correction Industry Facilities, in a sum not to exceed\$245,232.
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16 SECTION 4. APPROPRIATIONS - FIRE INSURANCE REFUND - CASH. There is
17 hereby appropriated, to the Department of Correction, to be payable from cash
18 funds as defined by Arkansas Code 19-4-801 of the Department of Correction,
19 for construction by the Department of Correction, the sum of \$26,497.
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21 SECTION 5. 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) Any restrictions contained in the Acts enumerated in the
34 reappropriation sections of this Act, the restrictions of any applicable
35 provisions of the State Purchasing Law, the General Accounting and Budgetary

1 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal
2 control laws of this State and regulations promulgated by the Department of
3 Finance and Administration, as authorized by law, shall be strictly complied
4 with in disbursement of any funds provided by this Act unless specifically
5 provided otherwise by law.

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

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16 SECTION 7. CODE. All provisions of this Act of a general and permanent
17 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
18 Code Revision Commission shall incorporate the same in the Code.

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20 SECTION 8. SEVERABILITY. If any provision of this Act or the
21 application thereof to any person or circumstance is held invalid, such
22 invalidity shall not affect other provisions or applications of the Act which
23 can be given effect without the invalid provision or application, and to this
24 end the provisions of this Act are declared to be severable.

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26 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
27 with this Act are hereby repealed.

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29 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
30 Seventy-Eighth General Assembly, that the Constitution of the State of
31 Arkansas prohibits the appropriation of funds for more than a two (2) year
32 period; that previous General Assemblies have provided appropriations for the
33 projects provided enumerated in this act; that certain appropriations will
34 expire before the adjournment of the General Assembly; and that if such
35 appropriations expire, the projects and programs authorized herein will cease

1 thereby depriving the citizens of the State of the benefits to be derived from
2 such projects. Therefore, an emergency is hereby declared to exist and this
3 Act being necessary for the immediate preservation of the public peace, health
4 and safety shall be in full force and effect from and after the date of its
5 passage and approval.

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APPROVED: 3-13-91

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