

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 329 OF 1995
SENATE BILL 426

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."

Subtitle

"AN ACT FOR THE DEPARTMENT OF CORRECTION
REAPPROPRIATION."

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 July 1, 1995, the balance of the appropriation provided in Item (B) of Section 1 of Act 771 of 1993, for waste water treatment improvements, in a sum not to exceed\$906,986.

(B) Effective July 1, 1995, the balance of the appropriation provided in Item (A) of Section 1 of Act 808 of 1993, for the construction/renovation of classroom facilities, in a sum not to exceed\$600,000.

(C) Effective July 1, 1995, the balance of the appropriation provided in Item (C) of Section 1 of Act 870 of 1993, for the purchase of a Fire Alarm System at the Women's Unit, in a sum not to exceed\$30,000.

(D) Effective July 1, 1995, the balance of the appropriation provided in Item (D) of Section 1 of Act 870 of 1993, for major maintenance, renovations, or repairs associated with the Wastewater Treatment at various

1 units, in a sum not to exceed \$399,000.

2

3 (E) Effective July 1, 1995, the balance of the appropriation provided
4 in Item (H) of Section 1 of Act 870 of 1993, for construction of a 90-bed
5 addition to the Washington County Jail, in a sum not to exceed \$540,000.

6

7 (F) Effective July 1, 1995, the balance of the appropriation provided
8 in Item (J) of Section 1 of Act 870 of 1993, for the purchase of equipment for
9 new facilities, in a sum not to exceed \$1,000,000.

10

11 (G) Effective July 1, 1995, the balance of the appropriation provided
12 in Section 4 of Act 11 of the First Extraordinary Session of the 79th General
13 Assembly, for reimbursing counties for providing emergency medical assistance
14 to inmates housed in county jails, in a sum not to exceed \$250,000.

15

16 (H) Effective July 1, 1995, the balance of the appropriation provided
17 in Item (K) of Section 1 of Act 870 and Act 953 of 1993, for constructing,
18 renovating, and equipping various correctional facilities, in a sum not to
19 exceed. \$18,297,000.

20

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

24 (A) Effective June 30, 1995, the balance of the appropriation provided
25 in Item (A) of Section 3 of Act 771 of 1993, for various farm equipment
26 expansion projects, in a sum not to exceed \$1,306.

27

28 (B) Effective June 30, 1995, the balance of the appropriation provided
29 in Item (B) of Section 3 of Act 771 of 1993, for various industry expansion
30 projects, in a sum not to exceed \$57,734.

31

32 SECTION 3. REAPPROPRIATION - JAIL REIMBURSEMENT. There is hereby
33 appropriated, to the Department of Correction, to be payable from the General
34 Revenue Allotment Reserve Fund, for the Department of Correction, the
35 following:

1 (A) Effective July 1, 1995, the balance of the appropriation provided
2 in Item (01) of Section 1 of Act 11 of the First Extraordinary Session of the
3 79th General Assembly, for the purpose of providing additional funding and
4 appropriation for the reimbursement of county jails, in a sum not to
5 exceed \$3,250,000.
6

7 SECTION 4. 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 30, 1995, the balance of the appropriation provided
12 in Item (A) of Section 2 of Act 771 of 1993, for construction, major
13 maintenance, renovation and repair of Department of Correction Industry
14 Facilities, in a sum not to exceed \$222,346.
15

16 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
17 obligations otherwise incurred in relation to the project or projects
18 described herein in excess of the State Treasury funds actually available
19 therefor as provided by law. Provided, however, that institutions and
20 agencies listed herein shall have the authority to accept and use grants and
21 donations including Federal funds, and to use its unobligated cash income or
22 funds, or both available to it, for the purpose of supplementing the State
23 Treasury funds for financing the entire costs of the project or projects
24 enumerated herein. Provided further, that the appropriations and funds
25 otherwise provided by the General Assembly for Maintenance and General
26 Operations of the agency or institutions receiving appropriation herein shall
27 not be used for any of the purposes as appropriated in this Act.

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

1

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

10

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

14

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

20

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

23

24 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
25 Eightieth General Assembly, that the Constitution of the State of Arkansas
26 prohibits the appropriation of funds for more than a two (2) year period; that
27 previous General Assemblies have provided appropriations for the projects
28 provided or enumerated in this act; that certain appropriations will expire
29 before the adjournment of the General Assembly; and that if such
30 appropriations expire, the projects and programs authorized herein will cease
31 thereby depriving the citizens of the State of the benefits to be derived from
32 such projects. Therefore, an emergency is hereby declared to exist and this
33 Act being necessary for the immediate preservation of the public peace, health
34 and safety shall be in full force and effect from and after the date of its
35 passage and approval.

1

2

APPROVED: 2-14-95