

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 193 of 2001
HOUSE BILL 1471

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
11 CORRECTION; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTION
15 REAPPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
22 appropriated, to the Department of Correction, to be payable from the General
23 Improvement Fund or its successor fund or fund accounts, for the Department of
24 Correction, the following:
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26 (A) Effective July 1, 2001, the balance of the appropriation provided in
27 Item (A) of Section 1 of Act 919 of 1999, for farm replacement receipts, in a
28 sum not to exceed \$8,744,683.

29 (B) Effective July 1, 2001, the balance of the appropriation provided in
30 Item (C) of Section 1 of Act 919 of 1999, for the construction, acquisition,
31 renovation, purchase of equipment, equipment lease and rental, major
32 maintenance, and repair of various correctional facilities, in a sum not to
33 exceed \$3,745,112.

34 (C) Effective July 1, 2001, the balance of the appropriation provided in
35 Item (D) of Section 1 of Act 919 of 1999, for costs associated with equipping,
36 including equipment lease and rental of various correctional facilities, in a

1 sum not to exceed\$2,000,000.

2 (D) Effective July 1, 2001, the balance of the appropriation provided in
3 Item (A) of Section 1 of Act 86 of 1999, for construction/renovation of
4 classroom facilities, in a sum not to exceed\$79,912.

5 (E) Effective July 1, 2001, the balance of the appropriation provided in
6 Item (B) of Section 1 of Act 86 of 1999, for constructing, renovating and
7 equipping various correctional facilities, in a sum not to exceed\$56,138.

8 (F) Effective July 1, 2001, the balance of the appropriation provided in
9 Item (B) of Section 1 of Act 919 of 1999, for costs associated with the 200
10 bed expansion of the Women's Unit, in a sum not to exceed\$4,473,000.

11 (G) Effective July 1, 2001, the balance of the appropriation provided in
12 Item (A) of Section 2 of Act 86 of 1999, for providing for the construction,
13 renovation, equipping, contracting and operation of various institutional
14 facilities administered by the Department of Correction and/or the Department
15 of Community Punishment, and for appropriation transfers from Section 1 (B) of
16 Act 919 of 1999 for costs associated with a 200 bed addition for women at the
17 Wrightsville Unit and unanticipated costs of constructing the 400 bed men's
18 addition at the Grimes Unit at Newport, in a sum not to exceed...\$5,987,318.
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20 SECTION 2. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to the
21 Department of Correction, to be payable from the federal funds as designated
22 by the Chief Fiscal Officer of the State, for the Department of Correction,
23 the following:

24 (A) Effective July 1, 2001, the balance of the appropriation provided in
25 Item (A) of Section 4 of Act 86 of 1999, for construction, acquisition,
26 renovation, equipment purchases, equipment lease and rental, maintenance
27 and/or repair, in a sum not to exceed\$12,051,415.
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29 SECTION 3. REAPPROPRIATION - SPECIAL. There is hereby appropriated, to the
30 Department of Correction, to be payable from the Department of Correction
31 Prison Industry Fund, for the Department of Correction, the following:

32 (A) Effective June 30, 2001, the balance of the appropriation provided in
33 Item (A) of Section 3 of Act 86 of 1999, for construction, major maintenance,
34 renovation and repair of Department of Correction Industry Facilities, in a
35 sum not to exceed\$222,345.
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1 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
 2 obligations otherwise incurred in relation to the project or projects
 3 described herein in excess of the State Treasury funds actually available
 4 therefor as provided by law. Provided, however, that institutions and
 5 agencies listed herein shall have the authority to accept and use grants and
 6 donations including Federal funds, and to use its unobligated cash income or
 7 funds, or both available to it, for the purpose of supplementing the State
 8 Treasury funds for financing the entire costs of the project or projects
 9 enumerated herein. Provided further, that the appropriations and funds
 10 otherwise provided by the General Assembly for Maintenance and General
 11 Operations of the agency or institutions receiving appropriation herein shall
 12 not be used for any of the purposes as appropriated in this act.

13 (B) The restrictions of any applicable provisions of the State Purchasing
 14 Law, the General Accounting and Budgetary Procedures Law, the Revenue
 15 Stabilization Law and any other applicable fiscal control laws of this State
 16 and regulations promulgated by the Department of Finance and Administration,
 17 as authorized by law, shall be strictly complied with in disbursement of any
 18 funds provided by this act unless specifically provided otherwise by law.
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20 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
 21 that any funds disbursed under the authority of the appropriations contained
 22 in this act shall be in compliance with the stated reasons for which this act
 23 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 24 and Legislative Recommendations contained in the budget manuals prepared by
 25 the Department of Finance and Administration, letters, or summarized oral
 26 testimony in the official minutes of the Arkansas Legislative Council or Joint
 27 Budget Committee which relate to its passage and adoption.
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29 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
 30 Assembly, that the Constitution of the State of Arkansas prohibits the
 31 appropriation of funds for more than a two (2) year period; that previous
 32 General Assemblies have provided appropriations for the projects provided or
 33 enumerated in this act; that certain appropriations will expire before the
 34 adjournment of the General Assembly; and that if such appropriations expire,
 35 the projects and programs authorized herein will cease thereby depriving the
 36 citizens of the State of the benefits to be derived from such projects.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after the date of its
4 passage and approval. If the bill is neither approved nor vetoed by the
5 Governor, it shall become effective on the expiration of the period of time
6 during which the Governor may veto the bill. If the bill is vetoed by the
7 Governor and the veto is overridden, it shall become effective on the date the
8 last house overrides the veto.

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11 **APPROVED: 2/9/2001**
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