

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 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 101 of 2003
HOUSE BILL 1257

5 By: Joint Budget Committee
6
7

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 THE DEPARTMENT OF COMMUNITY
11 CORRECTION; AND FOR OTHER PURPOSES.
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13
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Subtitle

15 AN ACT FOR THE DEPARTMENT OF CORRECTION
16 AND DEPARTMENT OF COMMUNITY CORRECTION
17 REAPPROPRIATION.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT - CORRECTION. There is
24 hereby appropriated, to the Department of Correction, to be payable from the
25 General Improvement Fund or its successor fund or fund accounts, for the
26 Department of Correction, the following:

27 (A) Effective July 1, 2003, the balance of the appropriation provided in
28 Item (B) of Section 1 of Act 193 of 2001, for the construction, acquisition,
29 renovation, purchase of equipment, equipment lease and rental, major
30 maintenance, and repair of various correctional facilities, in a sum not to
31 exceed\$393,061.

32 (B) Effective July 1, 2003, the balance of the appropriation provided in
33 Item (D) of Section 1 of Act 193 of 2001, for construction/renovation of
34 classroom facilities, in a sum not to exceed\$60,252.

35 (C) Effective July 1, 2003, the balance of the appropriation provided in
36 Item (E) of Section 1 of Act 193 of 2001, for constructing, renovating and



1 equipping various correctional facilities, in a sum not to exceed ...\$40,081.

2 (D) Effective July 1, 2003, the balance of the appropriation provided in
3 Item (G) of Section 1 of Act 193 of 2001, for construction, renovation,
4 equipping, contracting and operation of various institutional facilities
5 administered by the Department of Correction and/or the Department of
6 Community Correction, and for appropriation transfers from Section 1 (B) of
7 Act 919 of 1999 for costs associated with a 200 bed addition for women at the
8 Wrightsville Unit and unanticipated costs of constructing the 400 bed men's
9 addition at the Grimes Unit at Newport, in a sum not to exceed ..\$5,331,052.

10 (E) Effective July 1, 2003, the balance of the appropriation provided in
11 Item (A) of Section 1 of Act 379 of 2001, for construction, acquisition,
12 renovation, purchase of equipment, lease and rental, major maintenance and
13 replacement for various correctional facilities, in a sum not to exceed
14\$1,500,000.

15 (F) Effective July 1, 2003, the balance of the appropriation provided in
16 Item (B) of Section 1 of Act 379 of 2001, for farm receipts replacement
17 moneys used for costs of operating the Department of Correction Farm Program,
18 in a sum not to exceed\$11,610,642.

19 (G) Effective July 1, 2003, the balance of the appropriation provided in
20 Item (C) of Section 1 of Act 379 of 2001, for lease payments associated with
21 debt service on a 948-bed Institution at Malvern and a 400 bed addition at
22 the Grimes Unit at Newport, in a sum not to exceed\$33,578.

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24 SECTION 2. REAPPROPRIATION - FEDERAL - CORRECTION. There is hereby
25 appropriated, to the Department of Correction, to be payable from the federal
26 funds as designated by the Chief Fiscal Officer of the State, for the
27 Department of Correction, the following:

28 (A) Effective July 1, 2003, the balance of the appropriation provided in
29 Item (A) of Section 2 of Act 193 of 2001, for construction, acquisition,
30 renovation, equipment purchases, equipment lease and rental, maintenance
31 and/or repair, in a sum not to exceed\$4,965,332.

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33 SECTION 3. REAPPROPRIATION - SPECIAL - CORRECTION. There is hereby
34 appropriated, to the Department of Correction, to be payable from the
35 Department of Correction Prison Industry Fund, for the Department of
36 Correction, the following:

1 (A) Effective July 1, 2003, the balance of the appropriation provided in
2 Item (A) of Section 3 of Act 193 of 2001, for construction, major
3 maintenance, renovation and repair of Department of Correction Industry
4 Facilities, in a sum not to exceed\$76,078.
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6 SECTION 4. REAPPROPRIATION - GENERAL IMPROVEMENT - COMMUNITY CORRECTION.

7 There is hereby appropriated, to the Department of Community Correction, to
8 be payable from the General Improvement Fund or its successor fund or fund
9 accounts, for the Department of Community Correction, the following:

10 (A) Effective July 1, 2003, the balance of the appropriation provided in
11 Item (A) of Section 1 of Act 384 of 2001, for constructing, renovating and
12 equipping various community correctional facilities, in a sum not to exceed
13\$200,000.

14 (B) Effective July 1, 2003, the balance of the appropriation provided in
15 Item (B) of Section 1 of Act 384 of 2001, for construction, acquisition,
16 renovation, purchase of equipment, equipment lease and rental, maintenance,
17 and repair of various community correction facilities, in a sum not to exceed
18\$1,500,000.

19 (C) Effective July 1, 2003, the balance of the appropriation provided in
20 Item (A) of Section 3 of Act 379 of 2001, for costs associated with the
21 construction, major maintenance, renovation, and purchase of equipment for
22 various capital projects or facility improvements, in a sum not to exceed
23\$500,000.

24 (D) Effective July 1, 2003, the balance of the appropriation provided in
25 Item (A) of Section 1 of Act 484 of 2001, for costs associated with paving
26 the parking lot adjacent to the Central Arkansas Community Correction Center,
27 in a sum not to exceed\$150,000.
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29 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor

30 obligations otherwise incurred in relation to the project or projects
31 described herein in excess of the State Treasury funds actually available
32 therefor as provided by law. Provided, however, that institutions and
33 agencies listed herein shall have the authority to accept and use grants and
34 donations including Federal funds, and to use its unobligated cash income or
35 funds, or both available to it, for the purpose of supplementing the State
36 Treasury funds for financing the entire costs of the project or projects

1 enumerated herein. Provided further, that the appropriations and funds
 2 otherwise provided by the General Assembly for Maintenance and General
 3 Operations of the agency or institutions receiving appropriation herein shall
 4 not be used for any of the purposes as appropriated in this act.

5 (B) The restrictions of any applicable provisions of the State Purchasing
 6 Law, the General Accounting and Budgetary Procedures Law, the Revenue
 7 Stabilization Law and any other applicable fiscal control laws of this State
 8 and regulations promulgated by the Department of Finance and Administration,
 9 as authorized by law, shall be strictly complied with in disbursement of any
 10 funds provided by this act unless specifically provided otherwise by law.

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

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 21 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
 22 Assembly, that the Constitution of the State of Arkansas prohibits the
 23 appropriation of funds for more than a two (2) year period; that previous
 24 General Assemblies have provided appropriations for the projects provided or
 25 enumerated in this act; that certain appropriations will expire before the
 26 adjournment of the General Assembly; and that if such appropriations expire,
 27 the projects and programs authorized herein will cease thereby depriving the
 28 citizens of the State of the benefits to be derived from such projects.
 29 Therefore, an emergency is hereby declared to exist and this Act being
 30 necessary for the immediate preservation of the public peace, health and
 31 safety shall be in full force and effect from and after the date of its
 32 passage and approval. If the bill is neither approved nor vetoed by the
 33 Governor, it shall become effective on the expiration of the period of time
 34 during which the Governor may veto the bill. If the bill is vetoed by the
 35 Governor and the veto is overridden, it shall become effective on the date
 36 the last house overrides the veto.

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APPROVED: 2/10/2003