

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.  
Act 153 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

# A Bill

SENATE BILL 248

5 By: Joint Budget Committee  
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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  
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## 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  
24 of Correction, the following:

25 (A) Effective July 1, 2005, the balance of the appropriation provided in  
26 Item (C) of Section 1 of Act 162 of 2003, for Maintenance, Construction,  
27 Equipping, in a sum not to exceed .....\$2,000,000.  
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29 (B) Effective July 1, 2005, the balance of the appropriation provided in  
30 Item (D) of Section 1 of Act 101 of 2003, for construction, renovation,  
31 equipping, contracting and operation of various institutional facilities  
32 administered by the Department of Correction and/or the Department of  
33 Community Correction, and for appropriation transfers from Section 1(B) of  
34 Act 919 of 1999 for costs associated with a 200 bed addition for women at the  
35 Wrightsville Unit and unanticipated costs of constructing the 400 bed men's



1 addition at the Grimes Unit at Newport, in a sum not to exceed ...\$5,302,495.

2 SECTION 2. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to the  
3 Department of Correction, to be payable from the federal funds as designated  
4 by the Chief Fiscal Officer of the State, for the Department of Correction,  
5 the following:

6 (A) Effective July 1, 2005, the balance of the appropriation provided in  
7 Item (A) of Section 2 of Act 101 of 2003, for construction, acquisition,  
8 renovation, equipment purchases, equipment lease and rental, maintenance  
9 and/or repair, in a sum not to exceed .....\$232,384.

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11 SECTION 3. REAPPROPRIATION - SPECIAL. There is hereby appropriated, to the  
12 Department of Correction, to be payable from the Department of Correction  
13 Prison Industry Fund, for the Department of Correction, the following:

14 (A) Effective July 1, 2005, the balance of the appropriation provided in  
15 Item (A) of Section 3 of Act 101 of 2003, for construction, major  
16 maintenance, renovation and repair of Department of Correction Industry  
17 Facilities, in a sum not to exceed .....\$641,846.

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19 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
20 obligations otherwise incurred in relation to the project or projects  
21 described herein in excess of the State Treasury funds actually available  
22 therefor as provided by law. Provided, however, that institutions and  
23 agencies listed herein shall have the authority to accept and use grants and  
24 donations including Federal funds, and to use its unobligated cash income or  
25 funds, or both available to it, for the purpose of supplementing the State  
26 Treasury funds for financing the entire costs of the project or projects  
27 enumerated herein. Provided further, that the appropriations and funds  
28 otherwise provided by the General Assembly for Maintenance and General  
29 Operations of the agency or institutions receiving appropriation herein shall  
30 not be used for any of the purposes as appropriated in this act.

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

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

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11 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
12 Assembly, that the Constitution of the State of Arkansas prohibits the  
13 appropriation of funds for more than a two (2) year period; that previous  
14 General Assemblies have provided appropriations for the projects provided or  
15 enumerated in this act; that certain appropriations will expire before the  
16 adjournment of the General Assembly; and that if such appropriations expire,  
17 the projects and programs authorized herein will cease thereby depriving the  
18 citizens of the State of the benefits to be derived from such projects.  
19 Therefore, an emergency is hereby declared to exist and this Act being  
20 necessary for the immediate preservation of the public peace, health and  
21 safety shall be in full force and effect from and after the date of its  
22 passage and approval. If the bill is neither approved nor vetoed by the  
23 Governor, it shall become effective on the expiration of the period of time  
24 during which the Governor may veto the bill. If the bill is vetoed by the  
25 Governor and the veto is overridden, it shall become effective on the date  
26 the last house overrides the veto.

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29 APPROVED: 2/11/2005  
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