

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 263 of the Regular Session

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

A Bill

SENATE BILL 259

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
10 OF CORRECTION AND THE DEPARTMENT OF COMMUNITY
11 CORRECTION FOR MAINTENANCE, RENOVATION,
12 EQUIPPING, CONSTRUCTION, IMPROVEMENT, LEASE
13 PAYMENTS AND FARM RECEIPTS REPLACEMENT; AND FOR
14 OTHER PURPOSES.

Subtitle

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18 AN ACT FOR THE DEPARTMENT OF CORRECTION
19 AND DEPARTMENT OF COMMUNITY CORRECTION
20 GENERAL IMPROVEMENT APPROPRIATION.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby
26 appropriated, to the Department of Correction, to be payable from the General
27 Improvement Fund or its successor fund or fund accounts, the following:

28 (A) For farm receipts replacement moneys used for costs of operating the
29 Department of Correction Farm Program, the sum of\$12,000,000.

30 (B) For lease payments associated with debt service on a 948-bed
31 institution at Malvern and a 400-bed addition to the Grimes Unit at Newport,
32 the sum of\$6,400,000.

33 (C) For costs associated with the construction and renovation of the
34 Malvern addition - Special Needs Unit, the sum of.....\$39,650,000.

35 (D) For various maintenance, renovation, equipping, construction,



1 improvement, upgrade & repair projects for all prison facilities, the sum of
2\$2,000,000.

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4 SECTION 2. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby
5 appropriated, to the Department of Community Correction, to be payable from
6 the General Improvement Fund or its successor fund or fund accounts, the
7 following:

8 (A) For various maintenance, renovation, equipping, construction,
9 improvement, upgrade and repair projects for Community Correction Centers,
10 the sum of\$200,000.

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12 SECTION 3. APPROPRIATIONS - FEDERAL. There is hereby appropriated, to the
13 Department of Correction, to be payable from the federal funds as designated
14 by the Chief Fiscal Officer of the State, the following:

15 (A) For construction, major maintenance, renovation, or repair of an
16 airstrip at the Cummins/Varner Institution, the sum of..... \$312,000.

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

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

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

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10 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
11 Assembly, that the Constitution of the State of Arkansas prohibits the
12 appropriation of funds for more than a two (2) year period; that the
13 effectiveness of this Act on July 1, 2005 is essential to the operation of
14 the agency for which the appropriations in this Act are provided, and that in
15 the event of an extension of the Regular Session, the delay in the effective
16 date of this Act beyond July 1, 2005 could work irreparable harm upon the
17 proper administration and provision of essential governmental programs.
18 Therefore, an emergency is hereby declared to exist and this Act being
19 necessary for the immediate preservation of the public peace, health and
20 safety shall be in full force and effect from and after July 1, 2005.

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23 APPROVED: 2/22/2005
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