

**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 111 of the Regular Session**

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1303

5 By: Joint Budget Committee
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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, 2009, the balance of the appropriation provided in
26 Item (A) of Section 1 of Act 412 of 2007, for construction, renovation,
27 equipping, contracting and operation of various institutional facilities
28 administered by the Department of Correction and/or the Department of
29 Community Correction, and for appropriation transfers from Section 1(B) of
30 Act 919 of 1999 for costs associated with a 200 bed addition for women at the
31 Wrightsville Unit and unanticipated costs of constructing the 400 bed men's
32 addition at the Grimes Unit at Newport, in a sum not to exceed ...\$384,123.

33 (B) Effective July 1, 2009, the balance of the appropriation provided in
34 Item (B) of Section 1 of Act 412 of 2007, for farm receipts replacement
35 moneys used for costs of operating the Department of Correction Farm Program,



1 in a sum not to exceed\$423,585.

2 (C) Effective July 1, 2009, the balance of the appropriation provided in
3 Item (A) of Section 1 of Act 1124 of 2007, for lease payments associated with
4 debt service on a 948-bed institution at Malvern, 400-bed addition at Grimes
5 Unit at Newport, an 862-bed Special Needs Unit and addition at the Ouachita
6 River Unit at Malvern, in a sum not to exceed\$524,139.

7 (D) Effective July 1, 2009, the balance of the appropriation provided in
8 Item (B) of Section 1 of Act 1124 of 2007, for Medical Services Risk Pool
9 Deposit, in a sum not to exceed\$5,760,184.

10 (E) Effective July 1, 2009, the balance of the appropriation provided in
11 Item (C) of Section 1 of Act 1124 of 2007, for various maintenance,
12 renovation, equipping, construction, acquisition, improvement, upgrade, and
13 repair projects for all prison facilities, in a sum not to exceed
14\$8,419,302.

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16 SECTION 2. REAPPROPRIATION - VARIOUS FARM PROJECTS. There is hereby
17 appropriated, to the Department of Correction, to be payable from the
18 Department of Correction Farm Fund, for the Department of Correction, the
19 following:

20 (A) Effective July 1, 2009, the balance of the appropriation provided in
21 Item (A) of Section 2 of Act 1124 of 2007, for maintenance, replacement,
22 expansion, construction, equipping, renovation, improvement, repair,
23 purchase, and upgrade of various Farm Projects, in a sum not to exceed
24\$1,881,880.

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26 SECTION 3. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS. There is hereby
27 appropriated, to the Department of Correction, to be payable from the
28 Department of Correction Prison Industry Fund, for the Department of
29 Correction, the following:

30 (A) Effective July 1, 2009, the balance of the appropriation provided in
31 Item (A) of Section 3 of Act 1124 of 2007, for maintenance, replacement,
32 expansion, construction, equipping, renovation, improvement, repair,
33 purchase, and upgrade of various Industry Projects, in a sum not to exceed
34\$1,661,118.

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36 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor

1 obligations otherwise incurred in relation to the project or projects
 2 described herein in excess of the State Treasury funds actually available
 3 therefor as provided by law. Provided, however, that institutions and
 4 agencies listed herein shall have the authority to accept and use grants and
 5 donations including Federal funds, and to use its unobligated cash income or
 6 funds, or both available to it, for the purpose of supplementing the State
 7 Treasury funds for financing the entire costs of the project or projects
 8 enumerated herein. Provided further, that the appropriations and funds
 9 otherwise provided by the General Assembly for Maintenance and General
 10 Operations of the agency or institutions receiving appropriation herein shall
 11 not be used for any of the purposes as appropriated in this act.

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

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

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 28 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
 29 Assembly, that the Constitution of the State of Arkansas prohibits the
 30 appropriation of funds for more than a one (1) year period; that the
 31 effectiveness of this Act on July 1, 2009 is essential to the operation of
 32 the agency for which the appropriations in this Act are provided, and that in
 33 the event of an extension of the Regular Session, the delay in the effective
 34 date of this Act beyond July 1, 2009 could work irreparable harm upon the
 35 proper administration and provision of essential governmental programs.
 36 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and
2 safety shall be in full force and effect from and after July 1, 2009.

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4 **APPROVED: 2/12/2009**
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