

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

HOUSE BILL 1340

4
5 By: Joint Budget Committee

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 FOR OTHER PURPOSES.

Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTION
15 REAPPROPRIATION.

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
21 appropriated, to the Department of Correction, to be payable from the General
22 Improvement Fund or its successor fund or fund accounts, for the Department
23 of Correction the following:

24 (A) Effective July 1, 2011, the balance of the appropriation provided
25 in Item (A) Section 1 of Act 99 of 2010, for lease payments associated with
26 debt service on a 948-bed institution at Malvern, a 400-bed addition at the
27 Grimes Unit at Newport, and 862-bed Special Needs Unit and addition to the
28 Ouachita River Unit at Malvern, in a sum not to exceed.....\$6,273,559.

29 (B) Effective July 1, 2011, the balance of the appropriation provided
30 in Item (C) Section 1 of Act 99 of 2010, for various maintenance, renovation,
31 equipping, construction, expansion, upgrade, improvement and repair projects
32 for all prison facilities, in a sum not to exceed.....\$2,000,000.

33 (C) Effective July 1, 2011, the balance of the appropriation provided
34 in Item (E) Section 1 of Act 99 of 2010, for various maintenance, renovation,
35 equipping, construction, acquisition, improvement, upgrade, and repair
36 projects for all prison facilities, in a sum not to exceed.....\$235,646.



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

(A) Effective July 1, 2011, the balance of the appropriation provided in Item (A) Section 2 of Act 99 of 2010, for maintenance, replacement, expansion, construction, equipping, renovation, improvement, repair, purchase, and upgrade of various farm projects, in a sum not to exceed\$286,045.

(B) Effective July 1, 2011, the balance of the appropriation provided in Item (B) Section 2 of Act 99 of 2010, for maintenance, replacement, repair, expansion, construction, equipping, renovation, purchase, improvement, and upgrade of the Department of Correction - Various Farm Projects, in a sum not to exceed.....\$1,773,800.

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

(A) Effective July 1, 2011, the balance of the appropriation provided in Item (B) Section 3 of Act 99 of 2010, for maintenance, replacement, repair, expansion, construction, equipping, renovation, purchase, improvement and upgrade of the Department of Correction - Various Industry Projects, in a sum not to exceed.....\$1,245,340.

SECTION 4. REAPPROPRIATION - NORTHWEST ARKANSAS WORK RELEASE CENTER. There is hereby appropriated, to the Department of Correction, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for the Department of Correction the following:

(A) Effective July 1, 2011, the balance of the appropriation provided in Item (A) Section 4 of Act 99 of 2010, for new building construction and related costs to acquire or construct a 100-bed facility to relocate the existing 42-bed work release center at Springdale, in a sum not to exceed\$3,500,000.

1 SECTION 5. 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
14 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
15 Revenue Stabilization Law and any other applicable fiscal control laws of
16 this State and regulations promulgated by the Department of Finance and
17 Administration, as authorized by law, shall be strictly complied with in
18 disbursement of any funds provided by this act unless specifically provided
19 otherwise by law.

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

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30 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
31 Assembly, that the Constitution of the State of Arkansas prohibits the
32 appropriation of funds for more than a one (1) year period; that the
33 effectiveness of this Act on July 1, 2011 is essential to the operation of
34 the agency for which the appropriations in this Act are provided, and that in
35 the event of an extension of the legislative session, the delay in the
36 effective date of this Act beyond July 1, 2011 could work irreparable harm

1 upon the proper administration and provision of essential governmental
2 programs. Therefore, an emergency is hereby declared to exist and this Act
3 being necessary for the immediate preservation of the public peace, health
4 and safety shall be in full force and effect from and after July 1, 2011.

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7 **APPROVED: 03/03/2011**
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