

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1518

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 OF
10 CORRECTION FOR MAINTENANCE, RENOVATION, EQUIPPING,
11 CONSTRUCTION, ACQUISITION, IMPROVEMENT, UPGRADE, AND
12 REPAIR OF REAL PROPERTY AND FACILITIES, LEASE
13 PAYMENTS, VARIOUS INDUSTRY AND FARM PROJECTS; AND FOR
14 OTHER PURPOSES.
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Subtitle

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

27 (A) for lease payments associated with debt service on a 948-bed
28 institution at Malvern, a 400-bed addition at the Grimes Unit at Newport, and
29 862-bed Special Needs Unit and addition to the Ouachita River Unit at
30 Malvern, in a sum not to exceed.....\$13,000,000.

31 (B) for various maintenance, renovation, equipping, construction,
32 replacement, acquisition, improvement, upgrade, and repair of real property
33 and facilities, in a sum not to exceed.....\$6,000,000.

34 (C) for various Farm Projects and Operations, in a sum not to exceed
35\$1,157,500.
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SECTION 2. APPROPRIATION - VARIOUS INDUSTRY PROJECTS. There is hereby appropriated, to the Department of Correction, to be payable from the Department of Correction Prison Industry Fund, for Janitorial Products Division Expansion Industry maintenance, renovation, equipping, construction, replacement, acquisition, improvement, upgrade, and repair of real property and facilities of the Department of Correction for the fiscal year ending June 30, 2012, the sum of.....\$750,000.

SECTION 3. APPROPRIATION - VARIOUS FARM PROJECTS. There is hereby appropriated, to the Department of Correction, to be payable from the Department of Correction Farm Fund, for various Farm Projects and Operations of the Department of Correction for the fiscal year ending June 30, 2012, the sum of.....\$1,157,500.

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

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

SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for
2 which this act was adopted, as evidenced by the Agency Requests, Executive
3 Recommendations and Legislative Recommendations contained in the budget
4 manuals prepared by the Department of Finance and Administration, letters, or
5 summarized oral testimony in the official minutes of the Arkansas Legislative
6 Council or Joint Budget Committee which relate to its passage and adoption.

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8 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
9 Assembly, that the Constitution of the State of Arkansas prohibits the
10 appropriation of funds for more than a one (1) year period; that the
11 effectiveness of this Act on July 1, 2011 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the legislative session, the delay in the
14 effective date of this Act beyond July 1, 2011 could work irreparable harm
15 upon the proper administration and provision of essential governmental
16 programs. Therefore, an emergency is hereby declared to exist and this Act
17 being necessary for the immediate preservation of the public peace, health
18 and safety shall be in full force and effect from and after July 1, 2011.

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21 **APPROVED: 03/22/2011**
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