

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1602

5 By: Joint Budget Committee
6

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.
11

Subtitle

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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 PROJECTS. There is
21 hereby appropriated, to the Department of Correction, to be payable from the
22 General Improvement Fund or its successor fund or fund accounts, for the
23 Department of Correction the following:

24 (A) Effective July 1, 2017, the balance of the appropriation provided
25 in Item (A) Section 2 of Act 104 of 2016, for personal services and operating
26 expenses of the Department of Correction - Ester Unit, in a sum not to
27 exceed.....\$1,343,000.

28 (B) Effective July 1, 2017, the balance of the appropriation provided
29 in Item (B) Section 2 of Act 104 of 2016, for personal services and operating
30 expenses of the Department of Correction - Female Work Release - Pine Bluff,
31 in a sum not to exceed.....\$1,286,909.

32 (C) Effective July 1, 2017, the balance of the appropriation provided
33 in Item (C) Section 2 of Act 104 of 2016, for operating expenses of the
34 Department of Correction - Ouachita River Unit, in a sum not to
35 exceed.....\$574,113.

36 (D) Effective July 1, 2017, the balance of the appropriation provided



1 in Item (D) Section 2 of Act 104 of 2016, for operating expenses of the
 2 Department of Correction - Tucker Unit, in a sum not to exceed
 3\$534,853.

4 (E) Effective July 1, 2017, the balance of the appropriation provided
 5 in Item (E) Section 2 of Act 104 of 2016, for a transfer to the County Jail
 6 Reimbursement Fund for the reimbursement to Regional County Detention
 7 Facilities housing state inmates of the Department of Correction - Regional
 8 County Detention Facility, in a sum not to exceed.....\$4,380,000.

9 (F) Effective July 1, 2017, the balance of the appropriation provided
 10 in Item (F) Section 2 of Act 104 of 2016, for maintenance, replacement,
 11 repair, expansion, construction, equipping, renovation, purchase, improvement
 12 and upgrade of existing facilities of the Department of Correction, in a sum
 13 not to exceed.....\$7,802,000.

14 (G) Effective July 1, 2017, the balance of the appropriation provided
 15 in Item (G) Section 2 of Act 104 of 2016, for operating expenses and
 16 professional fees associated with leasing bed space from out-of-state
 17 facilities, in a sum not to exceed.....\$213,000.

18 (H) Effective July 1, 2017, the balance of the appropriation provided
 19 in Item (H) Section 2 of Act 104 of 2016, for lease payments associated with
 20 debt service on a 948-bed institution at Malvern, a 400-bed addition at the
 21 Grimes Unit at Newport, and 862-bed Special Needs Unit and addition to the
 22 Ouachita River Unit at Malvern, in a sum not to exceed.....\$2,277,300.

23 (I) Effective July 1, 2017, the balance of the appropriation provided
 24 in Item (I) Section 2 of Act 104 of 2016, for diagnostic building renovation,
 25 improvement, upgrade, equipping and construction of the Diagnostic Unit in
 26 Pine Bluff, in a sum not to exceed.....\$10,000,000.

27 (J) Effective July 1, 2017, the balance of the appropriation provided
 28 in Item (J) Section 2 of Act 104 of 2016, for critical infrastructure needs
 29 including the upgrade, replacement, or repair of microwave fence systems used
 30 to detect movement on facility grounds, in a sum not to exceed
 31\$625,000.

32 (K) Effective July 1, 2017, the balance of the appropriation provided
 33 in Item (K) Section 2 of Act 104 of 2016, for purchase of a vertical pressure
 34 water filtration system at the Tucker Unit, in a sum not to
 35 exceed.....\$80,000.

36 (L) Effective July 1, 2017, the balance of the appropriation provided

1 in Item (L) Section 2 of Act 104 of 2016, for replacement, upgrade, and
2 addition to the current camera security systems and recorders utilized at
3 each correctional facility, in a sum not to exceed.....\$2,000,000.

4 (M) Effective July 1, 2017, the balance of the appropriation provided
5 in Item (M) Section 2 of Act 104 of 2016, for maintenance, replacement,
6 repair, expansion, construction, equipping, renovation, purchase, improvement
7 and upgrade of existing facilities, in a sum not to exceed.....\$3,000,000.

8 (N) Effective July 1, 2017, the balance of the appropriation provided
9 in Item (N) Section 2 of Act 104 of 2016, for drainage maintenance at the
10 East Arkansas Unit, in a sum not to exceed.....\$300,000.

11 (O) Effective July 1, 2017, the balance of the appropriation provided
12 in Item (O) Section 2 of Act 104 of 2016, for remodel of an existing
13 structure at the Cummins Farm to accommodate a rice and grist mill, in a sum
14 not to exceed.....\$604,830.

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

20 (A) Effective July 1, 2017, the balance of the appropriation provided
21 in Item (A) Section 3 of Act 104 of 2016, for maintenance, replacement,
22 repair, expansion, construction, equipping, renovation, purchase, improvement
23 and upgrade of the Department of Correction - Various Industry Projects, in a
24 sum not to exceed.....\$108,950.

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

30 (A) Effective July 1, 2017, the balance of the appropriation provided
31 in Item (A) Section 4 of Act 104 of 2016, for maintenance, replacement,
32 repair, expansion, construction, equipping, renovation, purchase,
33 improvement, and upgrade of the Department of Correction - Various Farm
34 Projects, in a sum not to exceed.....\$140,535.

35 (B) Effective July 1, 2017, the balance of the appropriation provided
36 in Item (B) Section 4 of Act 104 of 2016, for construction of grain storage

1 bins at the East Arkansas Unit, in a sum not to exceed.....\$200,000.

2 (C) Effective July 1, 2017, the balance of the appropriation provided
3 in Item (C) Section 4 of Act 104 of 2016, for construction of grain storage
4 bins at the Tucker Unit, in a sum not to exceed.....\$200,000.

5 (D) Effective July 1, 2017, the balance of the appropriation provided
6 in Item (D) Section 4 of Act 104 of 2016, for renovation of the current Dairy
7 facility and replacement of equipment, in a sum not to exceed
8\$2,799,800.

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

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

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30 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
31 Assembly that any funds disbursed under the authority of the appropriations
32 contained in this act shall be in compliance with the stated reasons for
33 which this act was adopted, as evidenced by the Agency Requests, Executive
34 Recommendations and Legislative Recommendations contained in the budget
35 manuals prepared by the Department of Finance and Administration, letters, or
36 summarized oral testimony in the official minutes of the Arkansas Legislative

1 Council or Joint Budget Committee which relate to its passage and adoption.

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 3 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
 4 Assembly, that the Constitution of the State of Arkansas prohibits the
 5 appropriation of funds for more than a one (1) year period; that the
 6 effectiveness of this Act on July 1, 2017 is essential to the operation of
 7 the agency for which the appropriations in this Act are provided, and that in
 8 the event of an extension of the legislative session, the delay in the
 9 effective date of this Act beyond July 1, 2017 could work irreparable harm
 10 upon the proper administration and provision of essential governmental
 11 programs. Therefore, an emergency is hereby declared to exist and this Act
 12 being necessary for the immediate preservation of the public peace, health
 13 and safety shall be in full force and effect from and after July 1, 2017.

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 16 **APPROVED: 03/14/2017**
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