

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1475

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

12
13 AN ACT FOR THE DEPARTMENT OF CORRECTION
14 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 - DEVELOPMENT AND ENHANCEMENT FUND PROJECTS.

21 There is hereby appropriated, to the Department of Correction, to be payable
22 from the Development and Enhancement Fund, for the Department of Correction
23 the following:

24 (A) Effective July 1, 2019, the balance of the appropriation provided
25 in Item (A) of Section 1 of Act 7 of 2018, for personal services and
26 operating expenses of the Department of Correction - Ester Unit, in a sum not
27 to exceed\$202,317.

28 (B) Effective July 1, 2019, the balance of the appropriation provided
29 in Item (B) of Section 1 of Act 7 of 2018, for personal services and
30 operating expenses of the Department of Correction - Female Work Release -
31 Pine Bluff, in a sum not to exceed\$910,950.

32 (C) Effective July 1, 2019, the balance of the appropriation provided
33 in Item (D) of Section 1 of Act 7 of 2018, for operating expenses of the
34 Department of Correction - Tucker Unit, in a sum not to exceed\$254,561.

35 (D) Effective July 1, 2019, the balance of the appropriation provided
36 in Item (E) of Section 1 of Act 7 of 2018, for maintenance, replacement,



1 repair, expansion, construction, equipping, renovation, purchase, improvement
2 and upgrade of existing facilities of the Department of Correction, in a sum
3 not to exceed\$3,474,231.

4 (E) Effective July 1, 2019, the balance of the appropriation provided
5 in Item (F) of Section 1 of Act 7 of 2018, for lease payments associated with
6 debt service on a 948-bed institution at Malvern, a 400-bed addition at the
7 Grimes Unit at Newport, and 862-bed Special Needs Unit and addition to the
8 Ouachita River Unit at Malvern, in a sum not to exceed\$672,865.

9 (F) Effective July 1, 2019, the balance of the appropriation provided
10 in Item (G) of Section 1 of Act 7 of 2018, for construction to expand the
11 existing visitation center at the McPherson Unit, in a sum not to exceed
12\$292,724.

13 (G) Effective July 1, 2019, the balance of the appropriation provided
14 in Item (H) of Section 1 of Act 7 of 2018, for construction to expand the
15 existing Administration Building at the McPherson Unit, in a sum not to
16 exceed\$365,096.

17 (H) Effective July 1, 2019, the balance of the appropriation provided
18 in Item (I) of Section 1 of Act 7 of 2018, for construction to provide 576
19 additional beds at the North Central Unit, in a sum not to exceed
20\$39,283,656.

21 (I) Effective July 1, 2019, the balance of the appropriation provided
22 in Item (J) of Section 1 of Act 7 of 2018, for expansion and repairs to the
23 existing parking lot at the Ouachita River Unit, in a sum not to exceed
24\$326,362.

25 (J) Effective July 1, 2019, the balance of the appropriation provided
26 in Item (K) of Section 1 of Act 7 of 2018, for construction of two armories
27 at the Varner and Tucker Units, in a sum not to exceed\$138,399.

28 (K) Effective July 1, 2019, the balance of the appropriation provided
29 in Item (L) of Section 1 of Act 7 of 2018, for replacement of obsolete
30 equipment at the East Arkansas Unit Lift Station, in a sum not to exceed
31\$79,313.

32 (L) Effective July 1, 2019, the balance of the appropriation provided
33 in Item (M) of Section 1 of Act 7 of 2018, for replacement of the existing
34 Water Treatment Plant at the Tucker Unit, in a sum not to exceed
35\$1,093,848.

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1 SECTION 2. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS. There is
2 hereby appropriated, to the Department of Correction, to be payable from the
3 Department of Correction Prison Industry Fund, for the Department of
4 Correction the following:

5 (A) Effective July 1, 2019, the balance of the appropriation provided
6 in Item (A) of Section 2 of Act 7 of 2018, for maintenance, replacement,
7 repair, expansion, construction, equipping, renovation, purchase, improvement
8 and upgrade of the Department of Correction - Various Industry Projects, in a
9 sum not to exceed\$108,950.

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11 SECTION 3. REAPPROPRIATION - VARIOUS FARM PROJECTS. There is hereby
12 appropriated, to the Department of Correction, to be payable from the
13 Department of Correction Farm Fund, for the Department of Correction the
14 following:

15 (A) Effective July 1, 2019, the balance of the appropriation provided
16 in Item (A) of Section 3 of Act 7 of 2018, for maintenance, replacement,
17 repair, expansion, construction, equipping, renovation, purchase,
18 improvement, and upgrade of the Department of Correction - Various Farm
19 Projects, in a sum not to exceed\$140,534.

20 (B) Effective July 1, 2019, the balance of the appropriation provided
21 in Item (B) of Section 3 of Act 7 of 2018, for construction of grain storage
22 bins at the East Arkansas Unit, in a sum not to exceed\$200,000.

23 (C) Effective July 1, 2019, the balance of the appropriation provided
24 in Item (C) of Section 3 of Act 7 of 2018, for construction of grain storage
25 bins at the Tucker Unit, in a sum not to exceed\$200,000.

26 (D) Effective July 1, 2019, the balance of the appropriation provided
27 in Item (D) of Section 3 of Act 7 of 2018, for renovation of the current
28 Dairy facility and replacement of equipment, in a sum not to exceed
29\$2,799,800.

30 (E) Effective July 1, 2019, the balance of the appropriation provided
31 in Item (E) of Section 3 of Act 7 of 2018, for construction of grain storage
32 bins at Cummins, Tucker and East Arkansas Units, in a sum not to exceed
33\$2,430,250.

34 (F) Effective July 1, 2019, the balance of the appropriation provided
35 in Item (F) of Section 3 of Act 7 of 2018, for maintenance and repair to
36 upgrade the existing feed mill at the Cummins Unit, in a sum not to exceed

1\$889,750.

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

SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2019 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in

1 the event of an extension of the legislative session, the delay in the
2 effective date of this Act beyond July 1, 2019 could work irreparable harm
3 upon the proper administration and provision of essential governmental
4 programs. Therefore, an emergency is hereby declared to exist and this Act
5 being necessary for the immediate preservation of the public peace, health
6 and safety shall be in full force and effect from and after July 1, 2019.

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9 **APPROVED: 2/27/19**
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