

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: H2/26/99*

# A Bill

Act 548 of 1999  
HOUSE BILL 1737

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS  
10 DEPARTMENT OF COMMUNITY PUNISHMENT FOR CONSTRUCTION,  
11 RENOVATION, EQUIPMENT AND REPAIR OF VARIOUS  
12 FACILITIES; AND FOR OTHER PURPOSES."  
13

## Subtitle

14 "AN ACT FOR THE ARKANSAS DEPARTMENT  
15 OF COMMUNITY PUNISHMENT CAPITAL IMPROVEMENT  
16 APPROPRIATION.  
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18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby  
23 appropriated, to the Arkansas Department of Community Punishment, to be  
24 payable from the General Improvement Fund or its successor fund or fund  
25 accounts, the following:

26 (A) For construction, acquisition, renovation, purchase of equipment,  
27 equipment lease and rental, *maintenance*, and repair of various community  
28 punishment facilities, the sum of .....\$1,500,000.  
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30 (B) For costs associated with equipping, including equipment lease and  
31 rental of various community correctional facilities, the sum of  
32 .....\$706,500.  
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34 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
36 DISBURSEMENT OF FUNDS. Expenditure of the funds authorized herein shall be

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1 made only upon documentation to the Chief Fiscal Officer of the State, in such  
2 form as deemed necessary, that all criteria or pre-conditions established in  
3 the appropriation act have been met or in the case of state agencies, that a  
4 Method of Finance has been filed with the Office of Accounting in the  
5 Department of Finance and Administration. Any matching funds as may be  
6 provided in law shall be certified to the Chief Fiscal Officer of the State  
7 prior to the commencement of the project. Further, any recipient of the funds  
8 appropriated herein may be required to file a compliance audit indicating that  
9 the use of the funds was in compliance with the intent of the General  
10 Assembly.

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12 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
13 obligations otherwise incurred in relation to the project or projects  
14 described herein in excess of the State Treasury funds actually available  
15 therefor as provided by law. Provided, however, that institutions and  
16 agencies listed herein shall have the authority to accept and use grants and  
17 donations including Federal funds, and to use its unobligated cash income or  
18 funds, or both available to it, for the purpose of supplementing the State  
19 Treasury funds for financing the entire costs of the project or projects  
20 enumerated herein. Provided further, that the appropriations and funds  
21 otherwise provided by the General Assembly for Maintenance and General  
22 Operations of the agency or institutions receiving appropriation herein shall  
23 not be used for any of the purposes as appropriated in this act.

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

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31 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly  
32 that any funds disbursed under the authority of the appropriations contained  
33 in this act shall be in compliance with the stated reasons for which this act  
34 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
35 and Legislative Recommendations contained in the budget manuals prepared by  
36 the Department of Finance and Administration, letters, or summarized oral

1 testimony in the official minutes of the Arkansas Legislative Council or Joint  
2 Budget Committee which relate to its passage and adoption.

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4 SECTION 5. CODE. All provisions of this Act of a general and permanent  
5 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
6 Code Revision Commission shall incorporate the same in the Code.

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8 SECTION 6. SEVERABILITY. If any provision of this act or the application  
9 thereof to any person or circumstance is held invalid, such invalidity shall  
10 not affect other provisions or applications of the act which can be given  
11 effect without the invalid provision or application, and to this end the  
12 provisions of this act are declared to be severable.

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14 SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict with  
15 this act are hereby repealed.

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17 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the  
18 Eighty-second General Assembly, that the Constitution of the State of Arkansas  
19 prohibits the appropriation of funds for more than a two (2) year period; that  
20 the effectiveness of this Act on July 1, 1999 is essential to the operation of  
21 the agency for which the appropriations in this Act are provided, and that in  
22 the event of an extension of the Regular Session, the delay in the effective  
23 date of this Act beyond July 1, 1999 could work irreparable harm upon the  
24 proper administration and provision of essential governmental programs.  
25 Therefore, an emergency is hereby declared to exist and this Act being  
26 necessary for the immediate preservation of the public peace, health and  
27 safety shall be in full force and effect from and after July 1, 1999.

28 */s/ Joint Budget Committee*

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31 APPROVED: 3/11/1999  
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