

State of Arkansas

76th General Assembly

Regular Session, 1987 As engrossed 3-25-87

SENATE BILL 571

By: Joint Budget Committee

"AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF CORRECTION; AND FOR OTHER PURPOSES."

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

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

(1) Effective June 30, 1987, the balance of the appropriation provided in Item (2) of Section 1 of Act 574 of 1985 for the purchase of security equipment and improvements to the security facilities at the Department of Correction, in a sum not to exceed \$104,083.

(2) Effective June 30, 1987, the balance of the appropriation provided in Item (7) of Section 1 of Act 574 of 1985 for purchase of equipment for the Tucker Maximum Security Unit, in a sum not to exceed \$7,773.

(3) Effective April 16, 1987, the balance of the appropriation provided in Item (4) of Section 1 of Act 574 of 1985 for constructing, repairing, equipping a Maximum Security Unit at Cummins, in a sum not to exceed \$125,496.

(4) Effective June 30, 1987, the balance of the appropriation provided in Item (8) of Section 1 of Act 574 of 1985 for construction of a 700 bed minimum/medium security unit, in a sum not to exceed \$1,069,417.

(5) Effective June 30, 1987, the balance of the appropriation provided in Item (10) of Section 1 of Act 574 of 1985 for construction, additions to, major maintenance renovation and repair of security facilities and other various facilities of the Department of Correction, in a sum not to exceed \$206,146.

(6) Effective June 30, 1987, the balance of the appropriation provided in Item (11) of Section 1 of Act 574 of 1985 for purchase and replacement of emergency equipment, in a sum not to exceed \$103,810.

(7) Effective March 26, 1987, the balance of the appropriation provided in Item (6) of Section 1 of Act 574 of 1985 for constructing, reconstructing, repairing, renovating, improving and installing a central office building at the Pine Bluff site of the Department of Correction, in a sum not to exceed \$1,485.

(8) Effective April 3, 1987, the balance of the appropriation provided in Item (A) of Section 1 of Act 856 of 1985 for constructing and equipping a 700 bed Minimum/Medium Security Unit, in a sum not to exceed \$1,428,381.

SECTION 2. SPECIAL. 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:

(1) Effective June 30, 1987, the balance of the appropriation provided in Item (1) of Section 2 of Act 574 of 1985 for construction, major maintenance, renovation and repair of the Department of Correction Industry Facilities, in a sum not to exceed \$262,500.

SECTION 3. There is hereby appropriated to the Department of Correction, to be payable from the Public Facilities Construction Fund for the Department of Correction, the following:

(1) Effective June 30, 1987, the balance of the appropriation provided in Item (1) of Section 1 and Item (1) of Section 3 of Act 855 of 1985 for various farm expansion projects, in a sum not to exceed \$296,157.

(2) Effective June 30, 1987, the balance of the appropriation provided in Item (1) of Section 2 and Item (1) of Section 3 of Act 855 of 1985 for various industry expansion projects, in a sum not to exceed \$1,244,065.

SECTION 4. The Arkansas Department of Correction is hereby exempt from the provisions of Subsection (A) of Section 4 of Act 986 of 1985, as amended, [Ark. Stats. 13-567(A)].

SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded or 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 the 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, and/or funds available to it, for the purpose of supplementing the said State Treasury funds for financing the entire costs of said project or projects. Provided further, that the appropriations and funds otherwise provided by the General Assembly for maintenance and general operation of the said Institutions and Agencies shall not be used for any of the purposes set out in this Act.

(B) The General Accounting Procedures Law, the State Purchasing Law, the Revenue Stabilization Law, and other applicable fiscal laws of the State, or their successors, shall be strictly complied with, with respect to use of any funds provided by this Act.

SECTION 6. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Sixth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects enumerated in this Act; that certain appropriations will expire before the adjournment of the Regular Session; and that if such appropriations expire, the programs authorized by such appropriations would cease, thereby depriving the citizens of the State of the benefits to be derived from such projects. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/ Howell

