

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1868

By: Representatives Gilbert and McCoy

For An Act To Be Entitled

"AN ACT TO PROVIDE THAT BEFORE THE DEPARTMENT OF CORRECTION SHALL CONSTRUCT ANY DETENTION FACILITY, IT MUST HOLD PUBLIC HEARINGS WITHIN THE AREA WHEREIN THE FACILITY WILL BE LOCATED; TO PROVIDE THAT THE DEPARTMENT OF CORRECTION SHALL NOT CONSTRUCT ANY DETENTION FACILITY UNTIL THE ARKANSAS INDUSTRIAL DEVELOPMENT COMMISSION HAS CONDUCTED A STUDY TO DETERMINE THE NEGATIVE AND POSITIVE ECONOMIC EFFECTS WITHIN THE AREA AND UNTIL THE DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY HAS CONDUCTED A STUDY OF THE ENVIRONMENTAL IMPACT OF CONSTRUCTING THE FACILITY; AND FOR OTHER PURPOSES."

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

SECTION 1. Before the Department of Correction may construct any detention facility in this state, the following must occur:

(a) The Department shall conduct public hearings in the county wherein the facility would be located and in each county which adjoins that county;

(b) The Arkansas Industrial Development Commission shall assess the negative and positive economic impact of the proposed facility to the county wherein it would be located and the counties adjoining that county; and

(c) The Department of Pollution Control and Ecology shall conduct a study indicating the environmental impact of the facility to the county wherein it would be located and each county adjoining that county.

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are

hereby repealed.