

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **First Extraordinary Session, 1992**  
4 **By: Joint Budget Committee**

# A Bill

**Call Item 35**

**HOUSE BILL**

## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ACT 1078 OF 1991 TO PROVIDE FOR THE  
9 OPERATION OF CORRECTIONAL FACILITIES AND TO PROVIDE  
10 APPROPRIATION FOR THE ARKANSAS DEPARTMENT OF CORRECTION;  
11 AND FOR OTHER PURPOSES."

12  
13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. Section 12 of Act 1078 of 1991 is hereby amended to read as  
16 follows:

17 "SECTION 12. APPROPRIATIONS - REGIONAL FACILITIES OPERATIONS ACCOUNT.  
18 There is hereby appropriated, to the Department of Correction, to be payable  
19 from cash funds as defined by Arkansas Code 19-4-801 of the Department of  
20 Correction, for the operation of regional correction facilities of the  
21 Department of Correction - Regional Facilities Operations for the fiscal year  
22 ending June 30, 1992, the sum of.....\$750,000."

23  
24 SECTION 2. Section 25 of Act 1078 of 1991 is hereby amended to read as  
25 follows:

26 "SECTION 25. Receipts from cities or counties reimbursed to the  
27 Department for daily care of city or county prisoners shall be accounted for  
28 separately. Pursuant to A.C.A. 12-50-101 et. seq., such receipts as may be  
29 designated by contract and received from a political subdivision for the  
30 purpose of debt service, shall be used for payment of debt service on bonds,  
31 loans or any other instruments used to finance regional jail facilities. Such  
32 receipts as may be designated by contract and received from a political  
33 subdivision for the purpose of operating regional correctional facilities, may  
34 be used for the funding of debt service for or operation of, regional  
35 correctional facilities within the Department of Correction. With the

1 approval of the Chief Fiscal Officer of the State, the Arkansas Department of  
2 Correction may use funds for the purpose of operating regional correctional  
3 facilities as provided for in this section, only for the purpose of opening  
4 and operating the Lee County Correctional Facility for the remainder of the  
5 fiscal year ending June 30, 1992."

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7       SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
8 authorized by this Act shall be limited to the appropriation for such agency  
9 and funds made available by law for the support of such appropriations; and  
10 the restrictions of the State Purchasing Law, the General Accounting and  
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
12 Procedures and Restrictions Act, or their successors, and other fiscal control  
13 laws of this State, where applicable, and regulations promulgated by the  
14 Department of Finance and Administration, as authorized by law, shall be  
15 strictly complied with in disbursement of said funds.

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17       SECTION 4. LEGISLATIVE INTENT. It is the intent of the General  
18 Assembly that any funds disbursed under the authority of the appropriations  
19 contained in this Act shall be in compliance with the stated reasons for which  
20 this Act was adopted, as evidenced by the Agency Requests, Executive  
21 Recommendations and Legislative Recommendations contained in the budget  
22 manuals prepared by the Department of Finance and Administration, letters, or  
23 summarized oral testimony in the official minutes of the Arkansas Legislative  
24 Council or Joint Budget Committee which relate to its passage and adoption.

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

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30       SECTION 6. SEVERABILITY. If any provision of this Act or the  
31 application thereof to any person or circumstance is held invalid, such  
32 invalidity shall not affect other provisions or applications of the Act which  
33 can be given effect without the invalid provision or application, and to this  
34 end the provisions of this Act are declared to be severable.

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1           SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict  
2 with this Act are hereby repealed.

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4           SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the  
5 Seventy-Eighth General Assembly meeting in First Extraordinary Session, that  
6 the provisions of this Act are of critical importance to the provisions of  
7 governmental goods and services to the people of the State of Arkansas, and to  
8 provide sufficient funding for correctional facilities in the State of  
9 Arkansas. Therefore, an emergency is hereby declared to exist, and this Act  
10 being necessary for the immediate preservation of the public peace, health,  
11 and safety shall be in full force and effect from and after its passage and  
12 approval.

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