

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL 763

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 CORRECTION AND THE DEPARTMENT OF COMMUNITY PUNISHMENT FOR
10 CONSTRUCTION, MAINTENANCE, RENOVATION, REPAIR AND PURCHASE
11 OF EQUIPMENT; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF CORRECTION AND THE
15 DEPARTMENT OF COMMUNITY PUNISHMENT CAPITAL IMPROVEMENT
16 APPROPRIATION."

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

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

23 (A) For major maintenance, renovation or repair of buildings and
24 facilities required to comply with the American Disabilities Act, the sum
25 of.....\$45,000.

27 (B) For the purchase of a Refrigerant Recovery System, the sum of
28 of.....\$35,000.

30 (C) For the purchase of a Fire Alarm System at the Women's Unit, the
31 sum of.....\$30,000.

33 (D) For major maintenance, renovations, or repairs associated with
34 Wastewater Treatment at various units, the sum of\$399,000.

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(E) For major maintenance, renovation, or repairs associated with roofing renovations of various facilities and dwellings the sum of... \$380,000.

(F) For major maintenance, renovation or repairs associated with purchase and installation of electronic locks, the sum of\$48,000.

(G) For construction of a 400-bed addition to the East Arkansas Regional Unit, the sum of \$2,400,000.

(H) For construction of a 90-bed addition to the Washington County Jail, the sum of \$540,000.

(I) For construction of a 100-bed addition to the Benton Unit, the sum of \$400,000.

(J) For the purchase of equipment for new facilities, the sum of \$2,291,233.

(K) For constructing, renovating and equipping various correctional facilities, the sum of \$15,000,000.

SECTION 2. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby appropriated, to the Department of Community Punishment, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) For constructing, renovating and equipping various community correctional facilities, the sum of \$12,000,000.

SECTION 3. 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

1 funds, or both available to it, for the purpose of supplementing the State
2 Treasury funds for financing the entire costs of the project or projects
3 enumerated herein. Provided further, that the appropriations and funds
4 otherwise provided by the General Assembly for Maintenance and General
5 Operations of the agency or institutions receiving appropriation herein shall
6 not be used for any of the purposes as appropriated in this Act.

7 (B) The restrictions of any applicable provisions of the State
8 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
9 Revenue Stabilization Law and any other applicable fiscal control laws of this
10 State and regulations promulgated by the Department of Finance and
11 Administration, as authorized by law, shall be strictly complied with in
12 disbursement of any funds provided by this Act unless specifically provided
13 otherwise by law.

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

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

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

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

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SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper administration and provision of essential governmental programs. 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 July 1, 1993.

/s/ Senator Russ

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