

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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For An Act To Be Entitled

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"AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL

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IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF

10

CORRECTION; AND FOR OTHER PURPOSES."

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Subtitle

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"AN ACT FOR THE DEPARTMENT OF CORRECTION

14

REAPPROPRIATION."

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

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

22 (A) Effective July 1, 1995, the balance of the appropriation provided
23 in Item (B) of Section 1 of Act 771 of 1993, for waste water treatment
24 improvements, in a sum not to exceed \$906,986.

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26 (B) Effective July 1, 1995, the balance of the appropriation provided
27 in Item (A) of Section 1 of Act 808 of 1993, for the construction/renovation
28 of classroom facilities, in a sum not to exceed \$600,000.

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30 (C) Effective July 1, 1995, the balance of the appropriation provided
31 in Item (C) of Section 1 of Act 870 of 1993, for the purchase of a Fire Alarm
32 System at the Women's Unit, in a sum not to exceed \$30,000.

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34 (D) Effective July 1, 1995, the balance of the appropriation provided
35 in Item (D) of Section 1 of Act 870 of 1993, for major maintenance,

1 renovations, or repairs associated with the Wastewater Treatment at various
2 units, in a sum not to exceed \$399,000.

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4 (E) Effective July 1, 1995, the balance of the appropriation provided
5 in Item (H) of Section 1 of Act 870 of 1993, for construction of a 90-bed
6 addition to the Washington County Jail, in a sum not to exceed \$540,000.

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8 (F) Effective July 1, 1995, the balance of the appropriation provided
9 in Item (J) of Section 1 of Act 870 of 1993, for the purchase of equipment
10 for new facilities, in a sum not to exceed \$1,000,000.

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12 (G) Effective July 1, 1995, the balance of the appropriation provided
13 in Section 4 of Act 11 of the First Extraordinary Session of the 79th General
14 Assembly, for reimbursing counties for providing emergency medical assistance
15 to inmates housed in county jails, in a sum not to exceed \$250,000.

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17 (H) Effective July 1, 1995, the balance of the appropriation provided
18 in Item (K) of Section 1 of Act 870 and Act 953 of 1993, for constructing,
19 renovating, and equipping various correctional facilities, in a sum not to
20 exceed. \$18,297,000.

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22 SECTION 2. REAPPROPRIATION. There is hereby appropriated, to the
23 Department of Correction, to be payable from the Public Facilities
24 Construction Fund, for the Department of Correction, the following:

25 (A) Effective June 30, 1995, the balance of the appropriation provided
26 in Item (A) of Section 3 of Act 771 of 1993, for various farm equipment
27 expansion projects, in a sum not to exceed \$1,306.

28

29 (B) Effective June 30, 1995, the balance of the appropriation provided
30 in Item (B) of Section 3 of Act 771 of 1993, for various industry expansion
31 projects, in a sum not to exceed \$57,734.

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33 SECTION 3. REAPPROPRIATION - JAIL REIMBURSEMENT. There is hereby
34 appropriated, to the Department of Correction, to be payable from the General
35 Revenue Allotment Reserve Fund, for the Department of Correction, the

1 following:

2 (A) Effective July 1, 1995, the balance of the appropriation provided
3 in Item (01) of Section 1 of Act 11 of the First Extraordinary Session of the
4 79th General Assembly, for the purpose of providing additional funding and
5 appropriation for the reimbursement of county jails, in a sum not to
6 exceed \$3,250,000.

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8 SECTION 4. REAPPROPRIATION - SPECIAL REVENUE. There is hereby
9 appropriated, to the Department of Correction, to be payable from the
10 Department of Correction Prison Industry Fund, for the Department of
11 Correction, the following:

12 (A) Effective June 30, 1995, the balance of the appropriation provided
13 in Item (A) of Section 2 of Act 771 of 1993, for construction, major
14 maintenance, renovation and repair of Department of Correction Industry
15 Facilities, in a sum not to exceed \$222,346.

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17 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
18 obligations otherwise incurred in relation to the project or projects
19 described herein in excess of the State Treasury funds actually available
20 therefor as provided by law. Provided, however, that institutions and
21 agencies listed herein shall have the authority to accept and use grants and
22 donations including Federal funds, and to use its unobligated cash income or
23 funds, or both available to it, for the purpose of supplementing the State
24 Treasury funds for financing the entire costs of the project or projects
25 enumerated herein. Provided further, that the appropriations and funds
26 otherwise provided by the General Assembly for Maintenance and General
27 Operations of the agency or institutions receiving appropriation herein shall
28 not be used for any of the purposes as appropriated in this Act.

29 (B) Any restrictions contained in the Acts enumerated in the
30 reappropriation sections of this Act, the restrictions of any applicable
31 provisions of the State Purchasing Law, the General Accounting and Budgetary
32 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal
33 control laws of this State and regulations promulgated by the Department of
34 Finance and Administration, as authorized by law, shall be strictly complied
35 with in disbursement of any funds provided by this Act unless specifically

1 provided otherwise by law.

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3 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
4 Assembly that any funds disbursed under the authority of the appropriations
5 contained in this Act shall be in compliance with the stated reasons for
6 which this Act was adopted, as evidenced by the Agency Requests, Executive
7 Recommendations and Legislative Recommendations contained in the budget
8 manuals prepared by the Department of Finance and Administration, letters, or
9 summarized oral testimony in the official minutes of the Arkansas Legislative
10 Council or Joint Budget Committee which relate to its passage and adoption.

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12 SECTION 7. CODE. All provisions of this Act of a general and
13 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
14 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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16 SECTION 8. SEVERABILITY. If any provision of this Act or the
17 application thereof to any person or circumstance is held invalid, such
18 invalidity shall not affect other provisions or applications of the Act which
19 can be given effect without the invalid provision or application, and to this
20 end the provisions of this Act are declared to be severable.

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22 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
23 with this Act are hereby repealed.

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25 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by
26 the Eightieth General Assembly, that the Constitution of the State of
27 Arkansas prohibits the appropriation of funds for more than a two (2) year
28 period; that previous General Assemblies have provided appropriations for the
29 projects provided or enumerated in this act; that certain appropriations will
30 expire before the adjournment of the General Assembly; and that if such
31 appropriations expire, the projects and programs authorized herein will cease
32 thereby depriving the citizens of the State of the benefits to be derived
33 from such projects. Therefore, an emergency is hereby declared to exist and
34 this Act being necessary for the immediate preservation of the public peace,
35 health and safety shall be in full force and effect from and after the date

1 of its passage and approval.

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