

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: S3/12/97

# A Bill

HOUSE BILL 1607

4  
5 By: Joint Budget Committee

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF  
10 CORRECTION FOR CONSTRUCTION, MAJOR MAINTENANCE,  
11 RENOVATION, REPAIRS, EQUIPMENT, PURCHASE OF LAND, AND  
12 TRANSFERS; AND FOR OTHER PURPOSES."

## Subtitle

15 "AN ACT FOR THE DEPARTMENT OF CORRECTION  
16 CAPITAL IMPROVEMENT APPROPRIATION."

17  
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19  
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 transfers to the Department of Correction Farm Fund for  
24 replacing farm receipts designated as cash funds for debt service on revenue  
25 bonds issued for the construction of correctional facilities, the sum of ....  
26 .....\$14,000,000.

27 (B) For costs associated with the purchase of land, constructing and  
28 equipping a new 1,000 bed correctional facility, the sum of .....\$41,368,787.

29  
30 (C) For costs associated with constructing and equipping a Training  
31 Academy/Housing facility at the Wrightsville Unit, the sum of .....\$827,400.

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33 (D) For major maintenance, renovation or repair of roofs at various  
34 department facilities, the sum of .....\$495,000.

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36 (E) For costs associated with wastewater treatment improvements at the

1 North Central Unit and the Training Academy, the sum of .....\$295,000.

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3 (F) For costs associated with kitchen repairs and equipment at various  
4 correctional units, the sum of .....\$345,000.

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6 (G) For costs associated with laundry improvements and equipment at  
7 various correctional units, the sum of .....\$130,000.

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9 (H) For major maintenance, renovation and repair costs associated with  
10 emergency generators at various correctional units, the sum of .....\$420,000.

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12 (I) For major maintenance, renovation and repair costs for the fire  
13 alarm system at the Cummins Unit, the sum of .....\$280,000.

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15 (J) For costs of adding railing to the 2nd and 3rd tier walkways of all  
16 barracks at the Maximum Security Unit, the sum of .....\$8,000.

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18 (K) For costs of motorizing two (2) riot gates in the main hall of the  
19 Maximum Security Unit, the sum of .....\$20,000.

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21 (L) For major equipment purchases, the sum of .....\$2,000,000.

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23 (M) For construction, acquisition, renovation, equipment purchases,  
24 equipment lease and rental, maintenance and/or repair, the sum of..\$2,300,000.

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26 SECTION 2. APPROPRIATIONS - FEDERAL. There is hereby appropriated, to  
27 the Department of Correction, to be payable from the federal funds as  
28 designated by the Chief Fiscal Officer of the State, the following:

29 (A) For construction, acquisition, renovation, equipment purchases,  
30 equipment lease and rental, maintenance and/or repair, the sum of..\$20,500,000.

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32 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
33 obligations otherwise incurred in relation to the project or projects  
34 described herein in excess of the State Treasury funds actually available  
35 therefor as provided by law. Provided, however, that institutions and

1 agencies listed herein shall have the authority to accept and use grants and  
2 donations including Federal funds, and to use its unobligated cash income or  
3 funds, or both available to it, for the purpose of supplementing the State  
4 Treasury funds for financing the entire costs of the project or projects  
5 enumerated herein. Provided further, that the appropriations and funds  
6 otherwise provided by the General Assembly for Maintenance and General  
7 Operations of the agency or institutions receiving appropriation herein shall  
8 not be used for any of the purposes as appropriated in this Act.

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

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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 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
6 prohibits the appropriation of funds for more than a two (2) year period; that  
7 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
8 the agency for which the appropriations in this Act are provided, and that in  
9 the event of an extension of the Regular Session, the delay in the effective  
10 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
11 proper administration and provision of essential governmental programs.  
12 Therefore, an emergency is hereby declared to exist and this Act being  
13 necessary for the immediate preservation of the public peace, health and  
14 safety shall be in full force and effect from and after July 1, 1997.

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*/s/Russ et al*

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