

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

As Engrossed: H2/26/99
A Bill

HOUSE BILL 1738

4
5 By: Joint Budget Committee
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8 **For An Act To Be Entitled**

9 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
10 CORRECTION FOR CONSTRUCTION, RENOVATION, EQUIPMENT,
11 REPAIR, AND FARM REPLACEMENT RECEIPTS ; AND FOR OTHER
12 PURPOSES. "

13
14 **Subtitle**

15 "AN ACT FOR THE DEPARTMENT OF CORRECTION
16 CAPITAL IMPROVEMENT APPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby
22 appropriated, to the Department of Correction, to be payable from the General
23 Improvement Fund or its successor fund or fund accounts, the following:

24 (A) For farm replacement receipts, the sum of\$10,000,000.
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26 (B) For costs associated with the 200 bed expansion of the Women's Unit ,
27 the sum of\$4,473,000.
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29 (C) For the construction, acquisition, renovation, purchase of equipment,
30 equipment lease and rental, *major maintenance*, and repair of various
31 correctional facilities, the sum of\$4,000,000.
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33 (D) For costs associated with equipping, including equipment lease and
34 rental of various correctional facilities, the sum of
35\$2,991,959.
36

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1 SECTION 2. APPROPRIATIONS - CASH. There is hereby appropriated, to the
2 Department of Correction, to be payable from the cash funds as defined by
3 Arkansas Code 19-4-801, the following:

4 (A) For costs associated with the expansion of the Mississippi County Work
5 Release expansion, the sum of\$200,000.
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7 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 DISBURSEMENT OF FUNDS. Expenditure of the funds authorized herein shall be
10 made only upon documentation to the Chief Fiscal Officer of the State, in such
11 form as deemed necessary, that all criteria or pre-conditions established in
12 the appropriation act have been met or in the case of state agencies, that a
13 Method of Finance has been filed with the Office of Accounting in the
14 Department of Finance and Administration. Any matching funds as may be
15 provided in law shall be certified to the Chief Fiscal Officer of the State
16 prior to the commencement of the project. Further, any recipient of the funds
17 appropriated herein may be required to file a compliance audit indicating that
18 the use of the funds was in compliance with the intent of the General
19 Assembly.
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21 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
22 obligations otherwise incurred in relation to the project or projects
23 described herein in excess of the State Treasury funds actually available
24 therefor as provided by law. Provided, however, that institutions and
25 agencies listed herein shall have the authority to accept and use grants and
26 donations including Federal funds, and to use its unobligated cash income or
27 funds, or both available to it, for the purpose of supplementing the State
28 Treasury funds for financing the entire costs of the project or projects
29 enumerated herein. Provided further, that the appropriations and funds
30 otherwise provided by the General Assembly for Maintenance and General
31 Operations of the agency or institutions receiving appropriation herein shall
32 not be used for any of the purposes as appropriated in this act.

33 (B) The restrictions of any applicable provisions of the State Purchasing
34 Law, the General Accounting and Budgetary Procedures Law, the Revenue
35 Stabilization Law and any other applicable fiscal control laws of this State
36 and regulations promulgated by the Department of Finance and Administration,

1 as authorized by law, shall be strictly complied with in disbursement of any
2 funds provided by this act unless specifically provided otherwise by law.

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

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13 SECTION 6. CODE. All provisions of this Act of a general and permanent
14 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
15 Code Revision Commission shall incorporate the same in the Code.

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17 SECTION 7. SEVERABILITY. If any provision of this act or the application
18 thereof to any person or circumstance is held invalid, such invalidity shall
19 not affect other provisions or applications of the act which can be given
20 effect without the invalid provision or application, and to this end the
21 provisions of this act are declared to be severable.

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23 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict with
24 this act are hereby repealed.

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26 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
27 Eighty-second General Assembly, that the Constitution of the State of Arkansas
28 prohibits the appropriation of funds for more than a two (2) year period; that
29 the effectiveness of this Act on July 1, 1999 is essential to the operation of
30 the agency for which the appropriations in this Act are provided, and that in
31 the event of an extension of the Regular Session, the delay in the effective
32 date of this Act beyond July 1, 1999 could work irreparable harm upon the
33 proper administration and provision of essential governmental programs.
34 Therefore, an emergency is hereby declared to exist and this Act being
35 necessary for the immediate preservation of the public peace, health and
36 safety shall be in full force and effect from and after July 1, 1999.

/s/ Joint Budget Committee

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