

State of Arkansas
85th General Assembly
Regular Session, 2005

A Bill

SENATE BILL 248

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
CORRECTION; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF CORRECTION
REAPPROPRIATION.

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

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

(A) Effective July 1, 2005, the balance of the appropriation provided in Item (C) of Section 1 of Act 162 of 2003, for Maintenance, Construction, Equipping, in a sum not to exceed\$2,000,000.

(B) Effective July 1, 2005, the balance of the appropriation provided in Item (D) of Section 1 of Act 101 of 2003, for construction, renovation, equipping, contracting and operation of various institutional facilities administered by the Department of Correction and/or the Department of Community Correction, and for appropriation transfers from Section 1(B) of Act 919 of 1999 for costs associated with a 200 bed addition for women at the Wrightsville Unit and unanticipated costs of constructing the 400 bed men's addition at the Grimes Unit at Newport, in a sum not to exceed ...\$5,302,495.



1 SECTION 2. REAPPROPRIATION - FEDERAL. There is hereby appropriated, to the
 2 Department of Correction, to be payable from the federal funds as designated
 3 by the Chief Fiscal Officer of the State, for the Department of Correction,
 4 the following:

5 (A) Effective July 1, 2005, the balance of the appropriation provided in
 6 Item (A) of Section 2 of Act 101 of 2003, for construction, acquisition,
 7 renovation, equipment purchases, equipment lease and rental, maintenance
 8 and/or repair, in a sum not to exceed\$232,384.

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 10 SECTION 3. REAPPROPRIATION - SPECIAL. There is hereby appropriated, to the
 11 Department of Correction, to be payable from the Department of Correction
 12 Prison Industry Fund, for the Department of Correction, the following:

13 (A) Effective July 1, 2005, the balance of the appropriation provided in
 14 Item (A) of Section 3 of Act 101 of 2003, for construction, major
 15 maintenance, renovation and repair of Department of Correction Industry
 16 Facilities, in a sum not to exceed\$641,846.

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 18 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
 19 obligations otherwise incurred in relation to the project or projects
 20 described herein in excess of the State Treasury funds actually available
 21 therefor as provided by law. Provided, however, that institutions and
 22 agencies listed herein shall have the authority to accept and use grants and
 23 donations including Federal funds, and to use its unobligated cash income or
 24 funds, or both available to it, for the purpose of supplementing the State
 25 Treasury funds for financing the entire costs of the project or projects
 26 enumerated herein. Provided further, that the appropriations and funds
 27 otherwise provided by the General Assembly for Maintenance and General
 28 Operations of the agency or institutions receiving appropriation herein shall
 29 not be used for any of the purposes as appropriated in this act.

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

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

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10 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
11 Assembly, that the Constitution of the State of Arkansas prohibits the
12 appropriation of funds for more than a two (2) year period; that previous
13 General Assemblies have provided appropriations for the projects provided or
14 enumerated in this act; that certain appropriations will expire before the
15 adjournment of the General Assembly; and that if such appropriations expire,
16 the projects and programs authorized herein will cease thereby depriving the
17 citizens of the State of the benefits to be derived from such projects.
18 Therefore, an emergency is hereby declared to exist and this Act being
19 necessary for the immediate preservation of the public peace, health and
20 safety shall be in full force and effect from and after the date of its
21 passage and approval. If the bill is neither approved nor vetoed by the
22 Governor, it shall become effective on the expiration of the period of time
23 during which the Governor may veto the bill. If the bill is vetoed by the
24 Governor and the veto is overridden, it shall become effective on the date
25 the last house overrides the veto.