

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 259

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

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
10 OF CORRECTION AND THE DEPARTMENT OF COMMUNITY
11 CORRECTION FOR MAINTENANCE, RENOVATION,
12 EQUIPPING, CONSTRUCTION, IMPROVEMENT, LEASE
13 PAYMENTS AND FARM RECEIPTS REPLACEMENT; AND FOR
14 OTHER PURPOSES.
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Subtitle

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18 AN ACT FOR THE DEPARTMENT OF CORRECTION
19 AND DEPARTMENT OF COMMUNITY CORRECTION
20 GENERAL IMPROVEMENT APPROPRIATION.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby
26 appropriated, to the Department of Correction, to be payable from the General
27 Improvement Fund or its successor fund or fund accounts, the following:

28 (A) For farm receipts replacement moneys used for costs of operating the
29 Department of Correction Farm Program, the sum of\$12,000,000.

30 (B) For lease payments associated with debt service on a 948-bed
31 institution at Malvern and a 400-bed addition to the Grimes Unit at Newport,
32 the sum of\$6,400,000.

33 (C) For costs associated with the construction and renovation of the
34 Malvern addition - Special Needs Unit, the sum of.....\$39,650,000.

35 (D) For various maintenance, renovation, equipping, construction,
36 improvement, upgrade & repair projects for all prison facilities, the sum of



.....\$2,000,000.

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

(A) For various maintenance, renovation, equipping, construction, improvement, upgrade and repair projects for Community Correction Centers, the sum of\$200,000.

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

(A) For construction, major maintenance, renovation, or repair of an airstrip at the Cummins/Varner Institution, the sum of..... \$312,000.

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

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

SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly

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

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9 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
10 Assembly, that the Constitution of the State of Arkansas prohibits the
11 appropriation of funds for more than a two (2) year period; that the
12 effectiveness of this Act on July 1, 2005 is essential to the operation of
13 the agency for which the appropriations in this Act are provided, and that in
14 the event of an extension of the Regular Session, the delay in the effective
15 date of this Act beyond July 1, 2005 could work irreparable harm upon the
16 proper administration and provision of essential governmental programs.
17 Therefore, an emergency is hereby declared to exist and this Act being
18 necessary for the immediate preservation of the public peace, health and
19 safety shall be in full force and effect from and after July 1, 2005.