

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1510

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
10 OF CORRECTION FOR MAINTENANCE, RENOVATION,
11 REPAIR, EQUIPPING, ACQUISITION, CONSTRUCTION,
12 IMPROVEMENT, EXPANSION, LEASE PAYMENTS, MEDICAL
13 SERVICES RISK POOL DEPOSIT, NORTHWEST ARKANSAS
14 WORK RELEASE CENTER, VARIOUS INDUSTRY AND FARM
15 PROJECTS; AND FOR OTHER PURPOSES.
16

Subtitle

17
18 AN ACT FOR THE DEPARTMENT OF CORRECTION
19 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. APPROPRIATION - 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 lease payments associated with debt service on a 948-bed
29 institution at Malvern, a 400-bed addition at the Grimes Unit at Newport, and
30 862-bed Special Needs Unit and addition to the Ouachita River Unit at
31 Malvern, the sum of\$12,500,000.

32 (B) For medical services risk pool funding to cover off-site and/or
33 contracted health care costs and expenses in excess of the annual aggregate
34 cap, the sum of\$6,000,000.

35 (C) For various maintenance, renovation, equipping, construction,
36 expansion, upgrade, improvement and repair projects for all prison



1 facilities, the sum of\$2,000,000.

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3 SECTION 2. APPROPRIATION - VARIOUS INDUSTRY PROJECTS. There is hereby
4 appropriated, to the Department of Correction, to be payable from the
5 Department of Correction Prison Industry Fund, for maintenance, replacement,
6 repair, expansion, construction, equipping, renovation, purchase, improvement
7 and upgrade of the Department of Correction - Various Industry Projects for
8 the fiscal year ending June 30, 2010, the sum of\$1,245,340.

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10 SECTION 3. APPROPRIATION - VARIOUS FARM PROJECTS. There is hereby
11 appropriated, to the Department of Correction, to be payable from the
12 Department of Correction Farm Fund, for maintenance, replacement, repair,
13 expansion, construction, equipping, renovation, purchase, improvement and
14 upgrade of the Department of Correction - Various Farm Projects for the
15 fiscal year ending June 30, 2010, the sum of\$1,773,800.

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17 SECTION 4. APPROPRIATION - NORTHWEST ARKANSAS WORK RELEASE CENTER. There
18 is hereby appropriated, to the Department of Correction, to be payable from
19 the cash fund deposited in the State Treasury as determined by the Chief
20 Fiscal Officer of the State, for new building construction and related costs
21 to acquire or construct a 100-bed facility to relocate the existing 42-bed
22 work release center at Springdale, for the fiscal year ending June 30, 2010,
23 the sum of\$3,500,000.

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

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

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

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17 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
18 Assembly, that the Constitution of the State of Arkansas prohibits the
19 appropriation of funds for more than a one (1) year period; that the
20 effectiveness of this Act on July 1, 2009 is essential to the operation of
21 the agency for which the appropriations in this Act are provided, and that in
22 the event of an extension of the Regular Session, the delay in the effective
23 date of this Act beyond July 1, 2009 could work irreparable harm upon the
24 proper administration and provision of essential governmental programs.
25 Therefore, an emergency is hereby declared to exist and this Act being
26 necessary for the immediate preservation of the public peace, health and
27 safety shall be in full force and effect from and after July 1, 2009.