

State of Arkansas  
88th General Assembly  
Regular Session, 2011

# A Bill

HOUSE BILL 1340

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, 2011, the balance of the appropriation provided in Item (A) Section 1 of Act 99 of 2010, for lease payments associated with debt service on a 948-bed institution at Malvern, a 400-bed addition at the Grimes Unit at Newport, and 862-bed Special Needs Unit and addition to the Ouachita River Unit at Malvern, in a sum not to exceed.....\$6,273,559.

(B) Effective July 1, 2011, the balance of the appropriation provided in Item (C) Section 1 of Act 99 of 2010, for various maintenance, renovation, equipping, construction, expansion, upgrade, improvement and repair projects for all prison facilities, in a sum not to exceed.....\$2,000,000.

(C) Effective July 1, 2011, the balance of the appropriation provided in Item (E) Section 1 of Act 99 of 2010, for various maintenance, renovation, equipping, construction, acquisition, improvement, upgrade, and repair projects for all prison facilities, in a sum not to exceed.....\$235,646.



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2 SECTION 2. REAPPROPRIATION - VARIOUS FARM PROJECTS. There is hereby  
3 appropriated, to the Department of Correction, to be payable from the  
4 Department of Correction Farm Fund, for the Department of Correction the  
5 following:

6 (A) Effective July 1, 2011, the balance of the appropriation provided  
7 in Item (A) Section 2 of Act 99 of 2010, for maintenance, replacement,  
8 expansion, construction, equipping, renovation, improvement, repair,  
9 purchase, and upgrade of various farm projects, in a sum not to exceed  
10 .....\$286,045.

11 (B) Effective July 1, 2011, the balance of the appropriation provided  
12 in Item (B) Section 2 of Act 99 of 2010, for maintenance, replacement,  
13 repair, expansion, construction, equipping, renovation, purchase,  
14 improvement, and upgrade of the Department of Correction - Various Farm  
15 Projects, in a sum not to exceed.....\$1,773,800.

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17 SECTION 3. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS. There is  
18 hereby appropriated, to the Department of Correction, to be payable from the  
19 Department of Correction Prison Industry Fund, for the Department of  
20 Correction the following:

21 (A) Effective July 1, 2011, the balance of the appropriation provided  
22 in Item (B) Section 3 of Act 99 of 2010, for maintenance, replacement,  
23 repair, expansion, construction, equipping, renovation, purchase, improvement  
24 and upgrade of the Department of Correction - Various Industry Projects, in a  
25 sum not to exceed.....\$1,245,340.

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27 SECTION 4. REAPPROPRIATION - NORTHWEST ARKANSAS WORK RELEASE CENTER.  
28 There is hereby appropriated, to the Department of Correction, to be payable  
29 from the cash fund deposited in the State Treasury as determined by the Chief  
30 Fiscal Officer of the State, for the Department of Correction the following:

31 (A) Effective July 1, 2011, the balance of the appropriation provided  
32 in Item (A) Section 4 of Act 99 of 2010, for new building construction and  
33 related costs to acquire or construct a 100-bed facility to relocate the  
34 existing 42-bed work release center at Springdale, in a sum not to exceed  
35 .....\$3,500,000.

1           SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
2 obligations otherwise incurred in relation to the project or projects  
3 described herein in excess of the State Treasury funds actually available  
4 therefor as provided by law. Provided, however, that institutions and  
5 agencies listed herein shall have the authority to accept and use grants and  
6 donations including Federal funds, and to use its unobligated cash income or  
7 funds, or both available to it, for the purpose of supplementing the State  
8 Treasury funds for financing the entire costs of the project or projects  
9 enumerated herein. Provided further, that the appropriations and funds  
10 otherwise provided by the General Assembly for Maintenance and General  
11 Operations of the agency or institutions receiving appropriation herein shall  
12 not be used for any of the purposes as appropriated in this act.

13           (B) The restrictions of any applicable provisions of the State  
14 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
15 Revenue Stabilization Law and any other applicable fiscal control laws of  
16 this State and regulations promulgated by the Department of Finance and  
17 Administration, as authorized by law, shall be strictly complied with in  
18 disbursement of any funds provided by this act unless specifically provided  
19 otherwise by law.  
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21           SECTION 6. LEGISLATIVE INTENT. It is the intent of the General  
22 Assembly that any funds disbursed under the authority of the appropriations  
23 contained in this act shall be in compliance with the stated reasons for  
24 which this act was adopted, as evidenced by the Agency Requests, Executive  
25 Recommendations and Legislative Recommendations contained in the budget  
26 manuals prepared by the Department of Finance and Administration, letters, or  
27 summarized oral testimony in the official minutes of the Arkansas Legislative  
28 Council or Joint Budget Committee which relate to its passage and adoption.  
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30           SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
31 Assembly, that the Constitution of the State of Arkansas prohibits the  
32 appropriation of funds for more than a one (1) year period; that the  
33 effectiveness of this Act on July 1, 2011 is essential to the operation of  
34 the agency for which the appropriations in this Act are provided, and that in  
35 the event of an extension of the legislative session, the delay in the  
36 effective date of this Act beyond July 1, 2011 could work irreparable harm

1 upon the proper administration and provision of essential governmental  
2 programs. Therefore, an emergency is hereby declared to exist and this Act  
3 being necessary for the immediate preservation of the public peace, health  
4 and safety shall be in full force and effect from and after July 1, 2011.