

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1394

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
10 CORRECTIONS - DIVISION OF CORRECTION; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTIONS
15 - DIVISION OF CORRECTION REAPPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. REAPPROPRIATION - DEVELOPMENT AND ENHANCEMENT FUND PROJECTS.

21 There is hereby appropriated, to the Department of Corrections, to be payable
22 from the Development and Enhancement Fund, for the Department of Corrections
23 - Division of Correction the following:
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25 (A) Effective July 1, 2021, the balance of the appropriation provided
26 in Item (A) of Section 1 of Act 14 of 2020, for personal services and
27 operating expenses of the Division of Correction - Ester Unit, in a sum not
28 to exceed\$327.

29 (B) Effective July 1, 2021, the balance of the appropriation provided
30 in Item (B) of Section 1 of Act 14 of 2020, for personal services and
31 operating expenses of the Division of Correction - Female Work Release -
32 Pine Bluff, in a sum not to exceed\$885,933.

33 (C) Effective July 1, 2021, the balance of the appropriation provided
34 in Item (C) of Section 1 of Act 14 of 2020, for operating expenses of the
35 Tucker Unit, in a sum not to exceed\$74,628.

36 (D) Effective July 1, 2021, the balance of the appropriation provided



1 in Item (D) of Section 1 of Act 14 of 2020, for maintenance, replacement,
2 repair, expansion, construction, equipping, renovation, purchase, improvement
3 and upgrade of existing facilities of the Division of Correction, in a sum
4 not to exceed\$2,776,687.

5 (E) Effective July 1, 2021, the balance of the appropriation provided
6 in Item (E) of Section 1 of Act 14 of 2020, for construction to expand the
7 existing visitation center at the McPherson Unit, in a sum not to exceed
8\$10,816.

9 (F) Effective July 1, 2021, the balance of the appropriation provided
10 in Item (F) of Section 1 of Act 14 of 2020, for construction to expand the
11 existing Administration Building at the McPherson Unit, in a sum not to
12 exceed\$109,011.

13 (G) Effective July 1, 2021, the balance of the appropriation provided
14 in Item (G) of Section 1 of Act 14 of 2020, for construction of two armories
15 at the Varner and Tucker Units, in a sum not to exceed\$80,821.

16 (H) Effective July 1, 2021, the balance of the appropriation provided
17 in Item (H) of Section 1 of Act 14 of 2020, for replacement of the existing
18 Water Treatment Plant at the Tucker Unit, in a sum not to exceed
19\$1,093,848.

20 (I) Effective July 1, 2021, the balance of the appropriation provided
21 in Item (A) of Section 2 of Act 14 of 2020, for lease payments associated
22 with debt service on a 948-bed institution at Malvern, a 400-bed addition at
23 the Grimes Unit at Newport, and 862-bed Special Needs Unit and addition to
24 Ouachita River Unit at Malvern, in a sum not to exceed\$2,815,743.

25 (J) Effective July 1, 2021, the balance of the appropriation provided
26 in Item (B) of Section 2 of Act 14 of 2020, for Phase II of III of the Tucker
27 Water Treatment Plant, in a sum not to exceed\$1,093,848.

28 (K) Effective July 1, 2021, the balance of the appropriation provided
29 in Item (C) of Section 2 of Act 14 of 2020, for lethal fence upgrades at
30 Cummins/Varner, in a sum not to exceed\$580,000.

31 (L) Effective July 1, 2021, the balance of the appropriation provided
32 in Item (D) of Section 2 of Act 14 of 2020, for fence replacement at
33 Delta/North Central/Wrightsville, in a sum not to exceed\$1,150,000.

34 (M) Effective July 1, 2021, the balance of the appropriation provided
35 in Item (E) of Section 2 of Act 14 of 2020, for replacement, upgrades and
36 additions to the current security camera systems at Cummins, Varner and

1 Wrightsville, in a sum not to exceed\$2,400,000.

2 (N) Effective July 1, 2021, the balance of the appropriation provided
3 in Item (F) of Section 2 of Act 14 of 2020, for expansion of Pine Bluff
4 maintenance fabrication shop, in a sum not to exceed\$120,000.

5 (O) Effective July 1, 2021, the balance of the appropriation provided
6 in Item (G) of Section 2 of Act 14 of 2020, for replacement of existing
7 equipment for the East Arkansas Water Waste Project, in a sum not to exceed
8\$259,000.

9 (P) Effective July 1, 2021, the balance of the appropriation provided
10 in Item (H) of Section 2 of Act 14 of 2020, for roof replacement - Pine
11 Bluff/RLW, in a sum not to exceed\$2,800,000.

12 (Q) Effective July 1, 2021, the balance of the appropriation provided
13 in Item (I) of Section 2 of Act 14 of 2020, for replacing cell door control
14 panels at the Grimes Unit, in a sum not to exceed\$400,000.

15 (R) Effective July 1, 2021, the balance of the appropriation provided
16 in Item (J) of Section 2 of Act 14 of 2020, for additional well to provide
17 drinking water to Cummins & Varner Units, in a sum not to exceed ...\$900,000.

18 (S) Effective July 1, 2021, the balance of the appropriation provided
19 in Item (K) of Section 2 of Act 14 of 2020, for Northwest Arkansas Work
20 Release Laundry & Commissary Building, in a sum not to exceed\$250,000.

21 (T) Effective July 1, 2021, the balance of the appropriation provided
22 in Item (L) of Section 2 of Act 14 of 2020, for repairs and expansion of
23 parking lot at Ouachita River Unit, in a sum not to exceed\$326,362.

24 (U) Effective July 1, 2021, the balance of the appropriation provided
25 in Item (M) of Section 2 of Act 14 of 2020, for addition to the existing
26 North Central Unit - additional 576 beds, additional 30 Administrative
27 Segregation beds and additional Administration and Support Staff offices and
28 program rooms, in a sum not to exceed\$39,283,656.
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30 SECTION 2. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS - CASH. There
31 is hereby appropriated, to the Department of Corrections, to be payable from
32 the cash fund deposited in the State Treasury as determined by the Chief
33 Fiscal Officer of the State, for the Department of Corrections - Division of
34 Correction the following:

35 (A) Effective July 1, 2021, the balance of the appropriation provided
36 in Item (A) of Section 3 of Act 14 of 2020, for construction, renovation and

1 major maintenance of facilities and Central Warehouse of the Division of
2 Correction, in a sum not to exceed\$5,000,000.

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

8 (A) Effective July 1, 2021, the balance of the appropriation provided
9 in Item (A) of Section 4 of Act 14 of 2020, for maintenance, replacement,
10 repair, expansion, construction, equipping, renovation, purchase,
11 improvement, and upgrade of the Division of Correction - Various Farm
12 Projects, in a sum not to exceed\$140,534.

13 (B) Effective July 1, 2021, the balance of the appropriation provided
14 in Item (B) of Section 4 of Act 14 of 2020, for construction of grain storage
15 bins at the East Arkansas Unit, in a sum not to exceed\$200,000.

16 (C) Effective July 1, 2021, the balance of the appropriation provided
17 in Item (C) of Section 4 of Act 14 of 2020, for construction of grain storage
18 bins at the Tucker Unit, in a sum not to exceed\$200,000.

19 (D) Effective July 1, 2021, the balance of the appropriation provided
20 in Item (D) of Section 4 of Act 14 of 2020, for renovation of the current
21 dairy facility and replacement of equipment, in a sum not to exceed
22\$2,799,800.

23 (E) Effective July 1, 2021, the balance of the appropriation provided
24 in Item (E) of Section 4 of Act 14 of 2020, for construction of grain storage
25 bins at Cummins, Tucker and East Arkansas Units, in a sum not to exceed
26\$2,430,250.

27 (F) Effective July 1, 2021, the balance of the appropriation provided
28 in Item (F) of Section 4 of Act 14 of 2020, for maintenance and repair to
29 upgrade the existing feed mill at the Cummins Unit, in a sum not to exceed
30\$889,750.

31 (G) Effective July 1, 2021, the balance of the appropriation provided
32 in Item (G) of Section 4 of Act 14 of 2020, for Irrigation Project at
33 Tucker/Cummins, in a sum not to exceed\$110,000.

34 (H) Effective July 1, 2021, the balance of the appropriation provided
35 in Item (H) of Section 4 of Act 14 of 2020, for various farm projects for
36 maintenance, replacement, repair, expansion, construction, equipping,

1 renovation, purchase, improvement, and upgrade of the Division of Correction,
2 in a sum not to exceed\$1,000,000.

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4 SECTION 4. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS. There is
5 hereby appropriated, to the Department of Corrections, to be payable from the
6 Division of Correction Prison Industry Fund, for the Department of
7 Corrections - Division of Correction the following:

8 (A) Effective July 1, 2021, the balance of the appropriation provided
9 in Item (A) of Section 5 of Act 14 of 2020, for maintenance, replacement,
10 repair, expansion, construction, equipping, renovation, purchase, improvement
11 and upgrade of the Division of Correction - Various Industry Projects, in a
12 sum not to exceed\$6,312.

13 (B) Effective July 1, 2021, the balance of the appropriation provided
14 in Item (B) of Section 5 of Act 14 of 2020, for various industry projects
15 including storage at the Wrightsville Unit near the industry buildings, in a
16 sum not to exceed\$150,000.

17 (C) Effective July 1, 2021, the balance of the appropriation provided
18 in Item (C) of Section 5 of Act 14 of 2020, for various industry projects for
19 maintenance, replacement, repair, expansion, construction, equipping,
20 renovation, purchase, improvement, and upgrade of the Division of Correction,
21 in a sum not to exceed\$1,000,000.

22 (D) Effective July 1, 2021, the balance of the appropriation provided
23 in Item (D) of Section 5 of Act 14 of 2020, for construction, renovation and
24 major maintenance of facilities and Central Warehouse, in a sum not to exceed
25\$5,000,000.

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27 SECTION 5. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is
28 hereby appropriated, to the Department of Corrections, to be payable from the
29 Development and Enhancement Fund, for the Department of Corrections -
30 Riverside Vocational Technical School the following:

31 (A) Effective July 1, 2021, the balance of the appropriation provided
32 in Item (A) of Section 6 of Act 14 of 2020, for transfers of or refund to
33 expenditures for capital balances for construction, renovation, major
34 maintenance, and purchase of equipment for various capital projects or
35 facility improvements, in a sum not to exceed\$2,667.

36 (B) Effective July 1, 2021, the balance of the appropriation provided

1 in Item (A) of Section 7 of Act 14 of 2020, for transfers of or refund to
2 expenditures for capital balances for construction, renovation, major
3 maintenance, and purchase of equipment for various capital projects or
4 facility improvements, in a sum not to exceed\$975,910.
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6 SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
7 obligations otherwise incurred in relation to the project or projects
8 described herein in excess of the State Treasury funds actually available
9 therefor as provided by law. Provided, however, that institutions and
10 agencies listed herein shall have the authority to accept and use grants and
11 donations including Federal funds, and to use its unobligated cash income or
12 funds, or both available to it, for the purpose of supplementing the State
13 Treasury funds for financing the entire costs of the project or projects
14 enumerated herein. Provided further, that the appropriations and funds
15 otherwise provided by the General Assembly for Maintenance and General
16 Operations of the agency or institutions receiving appropriation herein shall
17 not be used for any of the purposes as appropriated in this act.

18 (B) The restrictions of any applicable provisions of the State
19 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
20 Revenue Stabilization Law and any other applicable fiscal control laws of
21 this State and regulations promulgated by the Department of Finance and
22 Administration, as authorized by law, shall be strictly complied with in
23 disbursement of any funds provided by this act unless specifically provided
24 otherwise by law.
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26 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
27 Assembly that any funds disbursed under the authority of the appropriations
28 contained in this act shall be in compliance with the stated reasons for
29 which this act was adopted, as evidenced by the Agency Requests, Executive
30 Recommendations and Legislative Recommendations contained in the budget
31 manuals prepared by the Department of Finance and Administration, letters, or
32 summarized oral testimony in the official minutes of the Arkansas Legislative
33 Council or Joint Budget Committee which relate to its passage and adoption.
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35 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
36 Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a one (1) year period; that the
2 effectiveness of this Act on July 1, 2021 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the legislative session, the delay in the
5 effective date of this Act beyond July 1, 2021 could work irreparable harm
6 upon the proper administration and provision of essential governmental
7 programs. Therefore, an emergency is hereby declared to exist and this Act
8 being necessary for the immediate preservation of the public peace, health
9 and safety shall be in full force and effect from and after July 1, 2021.

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