

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

HOUSE BILL 1022

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 CORRECTION; AND FOR OTHER PURPOSES.
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Subtitle

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13 AN ACT FOR THE DEPARTMENT OF CORRECTION
14 REAPPROPRIATION.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. REAPPROPRIATION - GENERAL IMPROVEMENT. There is hereby
21 appropriated, to the Department of Correction, to be payable from the General
22 Improvement Fund or its successor fund or fund accounts, for the Department
23 of Correction the following:

24 (A) Effective July 1, 2012, the balance of the appropriation provided
25 in Item (A) Section 1 of Act 547 of 2011, for lease payments associated with
26 debt service on a 948-bed institution at Malvern, a 400-bed addition at the
27 Grimes Unit at Newport, and 862-bed Special Needs Unit and addition to the
28 Ouachita River Unit at Malvern, in a sum not to exceed.....\$13,000,000.

29 (B) Effective July 1, 2012, the balance of the appropriation provided
30 in Item (B) Section 1 of Act 547 of 2011, for various maintenance,
31 renovation, equipping, construction, replacement, acquisition, improvement,
32 upgrade, and repair of real property and facilities, in a sum not to exceed
33\$6,000,000.

34 (C) Effective July 1, 2012, the balance of the appropriation provided
35 in Item (C) Section 1 of Act 547 of 2011, for various Farm Projects and
36 Operations, in a sum not to exceed.....\$1,157,500.



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SECTION 2. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS. There is hereby appropriated, to the Department of Correction, to be payable from the Department of Correction Prison Industry Fund, for the Department of Correction the following:

(A) Effective July 1, 2012, the balance of the appropriation provided in Section 2 of Act 547 of 2011, for Janitorial Products Division Expansion Industry maintenance, renovation, equipping, construction, replacement, acquisition, improvement, upgrade, and repair of real property and facilities of the Department of Correction, in a sum not to exceed.....\$750,000.

(B) Effective July 1, 2012, the balance of the appropriation provided in Item (A) Section 3 of Act 157 of 2011, for maintenance, replacement, repair, expansion, construction, equipping, renovation, purchase, improvement and upgrade of the Department of Correction - Various Industry Projects, in a sum not to exceed.....\$702,862.

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

(A) Effective July 1, 2012, the balance of the appropriation provided in Section 3 of Act 547 of 2011, for various Farm Projects and Operations of the Department of Correction, in a sum not to exceed.....\$1,157,500.

(B) Effective July 1, 2012, the balance of the appropriation provided in Item (B) Section 2 of Act 157 of 2011, for maintenance, replacement, repair, expansion, construction, equipping, renovation, purchase, improvement, and upgrade of the Department of Correction - Various Farm Projects, in a sum not to exceed.....\$1,773,800.

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

1 Treasury funds for financing the entire costs of the project or projects
2 enumerated herein. Provided further, that the appropriations and funds
3 otherwise provided by the General Assembly for Maintenance and General
4 Operations of the agency or institutions receiving appropriation herein shall
5 not be used for any of the purposes as appropriated in this act.

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

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

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23 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
24 Assembly, that the Constitution of the State of Arkansas prohibits the
25 appropriation of funds for more than a one (1) year period; that the
26 effectiveness of this Act on July 1, 2012 is essential to the operation of
27 the agency for which the appropriations in this Act are provided, and that in
28 the event of an extension of the legislative session, the delay in the
29 effective date of this Act beyond July 1, 2012 could work irreparable harm
30 upon the proper administration and provision of essential governmental
31 programs. Therefore, an emergency is hereby declared to exist and this Act
32 being necessary for the immediate preservation of the public peace, health
33 and safety shall be in full force and effect from and after July 1, 2012.