

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1475

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.  
11

## 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 - DEVELOPMENT AND ENHANCEMENT FUND PROJECTS.

21 There is hereby appropriated, to the Department of Correction, to be payable  
22 from the Development and Enhancement Fund, for the Department of Correction  
23 the following:

24 (A) Effective July 1, 2019, the balance of the appropriation provided  
25 in Item (A) of Section 1 of Act 7 of 2018, for personal services and  
26 operating expenses of the Department of Correction - Ester Unit, in a sum not  
27 to exceed .....\$202,317.

28 (B) Effective July 1, 2019, the balance of the appropriation provided  
29 in Item (B) of Section 1 of Act 7 of 2018, for personal services and  
30 operating expenses of the Department of Correction - Female Work Release -  
31 Pine Bluff, in a sum not to exceed .....\$910,950.

32 (C) Effective July 1, 2019, the balance of the appropriation provided  
33 in Item (D) of Section 1 of Act 7 of 2018, for operating expenses of the  
34 Department of Correction - Tucker Unit, in a sum not to exceed .....\$254,561.

35 (D) Effective July 1, 2019, the balance of the appropriation provided  
36 in Item (E) of Section 1 of Act 7 of 2018, for maintenance, replacement,



1 repair, expansion, construction, equipping, renovation, purchase, improvement  
2 and upgrade of existing facilities of the Department of Correction, in a sum  
3 not to exceed .....\$3,474,231.

4 (E) Effective July 1, 2019, the balance of the appropriation provided  
5 in Item (F) of Section 1 of Act 7 of 2018, for lease payments associated with  
6 debt service on a 948-bed institution at Malvern, a 400-bed addition at the  
7 Grimes Unit at Newport, and 862-bed Special Needs Unit and addition to the  
8 Ouachita River Unit at Malvern, in a sum not to exceed .....\$672,865.

9 (F) Effective July 1, 2019, the balance of the appropriation provided  
10 in Item (G) of Section 1 of Act 7 of 2018, for construction to expand the  
11 existing visitation center at the McPherson Unit, in a sum not to exceed  
12 .....\$292,724.

13 (G) Effective July 1, 2019, the balance of the appropriation provided  
14 in Item (H) of Section 1 of Act 7 of 2018, for construction to expand the  
15 existing Administration Building at the McPherson Unit, in a sum not to  
16 exceed .....\$365,096.

17 (H) Effective July 1, 2019, the balance of the appropriation provided  
18 in Item (I) of Section 1 of Act 7 of 2018, for construction to provide 576  
19 additional beds at the North Central Unit, in a sum not to exceed  
20 .....\$39,283,656.

21 (I) Effective July 1, 2019, the balance of the appropriation provided  
22 in Item (J) of Section 1 of Act 7 of 2018, for expansion and repairs to the  
23 existing parking lot at the Ouachita River Unit, in a sum not to exceed  
24 .....\$326,362.

25 (J) Effective July 1, 2019, the balance of the appropriation provided  
26 in Item (K) of Section 1 of Act 7 of 2018, for construction of two armories  
27 at the Varner and Tucker Units, in a sum not to exceed .....\$138,399.

28 (K) Effective July 1, 2019, the balance of the appropriation provided  
29 in Item (L) of Section 1 of Act 7 of 2018, for replacement of obsolete  
30 equipment at the East Arkansas Unit Lift Station, in a sum not to exceed  
31 .....\$79,313.

32 (L) Effective July 1, 2019, the balance of the appropriation provided  
33 in Item (M) of Section 1 of Act 7 of 2018, for replacement of the existing  
34 Water Treatment Plant at the Tucker Unit, in a sum not to exceed  
35 .....\$1,093,848.

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

5 (A) Effective July 1, 2019, the balance of the appropriation provided  
6 in Item (A) of Section 2 of Act 7 of 2018, for maintenance, replacement,  
7 repair, expansion, construction, equipping, renovation, purchase, improvement  
8 and upgrade of the Department of Correction - Various Industry Projects, in a  
9 sum not to exceed .....\$108,950.

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

15 (A) Effective July 1, 2019, the balance of the appropriation provided  
16 in Item (A) of Section 3 of Act 7 of 2018, for maintenance, replacement,  
17 repair, expansion, construction, equipping, renovation, purchase,  
18 improvement, and upgrade of the Department of Correction - Various Farm  
19 Projects, in a sum not to exceed .....\$140,534.

20 (B) Effective July 1, 2019, the balance of the appropriation provided  
21 in Item (B) of Section 3 of Act 7 of 2018, for construction of grain storage  
22 bins at the East Arkansas Unit, in a sum not to exceed .....\$200,000.

23 (C) Effective July 1, 2019, the balance of the appropriation provided  
24 in Item (C) of Section 3 of Act 7 of 2018, for construction of grain storage  
25 bins at the Tucker Unit, in a sum not to exceed .....\$200,000.

26 (D) Effective July 1, 2019, the balance of the appropriation provided  
27 in Item (D) of Section 3 of Act 7 of 2018, for renovation of the current  
28 Dairy facility and replacement of equipment, in a sum not to exceed  
29 .....\$2,799,800.

30 (E) Effective July 1, 2019, the balance of the appropriation provided  
31 in Item (E) of Section 3 of Act 7 of 2018, for construction of grain storage  
32 bins at Cummins, Tucker and East Arkansas Units, in a sum not to exceed  
33 .....\$2,430,250.

34 (F) Effective July 1, 2019, the balance of the appropriation provided  
35 in Item (F) of Section 3 of Act 7 of 2018, for maintenance and repair to  
36 upgrade the existing feed mill at the Cummins Unit, in a sum not to exceed

1 .....\$889,750.

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

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

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

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32 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
33 Assembly, that the Constitution of the State of Arkansas prohibits the  
34 appropriation of funds for more than a one (1) year period; that the  
35 effectiveness of this Act on July 1, 2019 is essential to the operation of  
36 the agency for which the appropriations in this Act are provided, and that in

the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2019 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2019.

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