

1 State of Arkansas
2 89th General Assembly
3 Fiscal Session, 2014
4

A Bill

HOUSE BILL 1018

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 - GENERAL IMPROVEMENT PROJECTS. There is
21 hereby appropriated, to the Department of Correction, to be payable from the
22 General Improvement Fund or its successor fund or fund accounts, for the
23 Department of Correction the following:

24 (A) Effective July 1, 2014, the balance of the appropriation provided
25 in Item (A) Section 1 of Act 264 of 2013, 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, 2014, the balance of the appropriation provided
30 in Item (B) Section 1 of Act 264 of 2013, for diagnostic building renovation,
31 improvement, upgrade, equipping and construction of the Diagnostic Unit in
32 Pine Bluff, in a sum not to exceed.....\$10,000,050.

33 (C) Effective July 1, 2014, the balance of the appropriation provided
34 in Item (C) Section 1 of Act 264 of 2013, for critical physical plant needs
35 including major maintenance and repair of the EARU - Water Tank, in a sum not
36 to exceed.....\$250,000.



1 (D) Effective July 1, 2014, the balance of the appropriation provided
2 in Item (D) Section 1 of Act 264 of 2013, for kitchen facility renovation of
3 the Wrightsville Unit, including major maintenance, renovation, repair,
4 construction, and equipping, in a sum not to exceed.....\$200,000.

5 (E) Effective July 1, 2014, the balance of the appropriation provided
6 in Item (E) Section 1 of Act 264 of 2013, for roofing projects, repairs, and
7 preventative maintenance of state facilities, in a sum not to exceed
8\$1,720,000.

9 (F) Effective July 1, 2014, the balance of the appropriation provided
10 in Item (A) Section 2 of Act 628 of 2013, for land acquisition, purchase,
11 construction, renovation and maintenance of the England School Facility for
12 the ADC Training Academy, in a sum not to exceed.....\$500,000.
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14 SECTION 2. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS. There is
15 hereby appropriated, to the Department of Correction, to be payable from the
16 Department of Correction Prison Industry Fund, for the Department of
17 Correction the following:

18 (A) Effective July 1, 2014, the balance of the appropriation provided
19 in Item (A) Section 2 of Act 249 of 2013, for maintenance, replacement,
20 repair, expansion, construction, equipping, renovation, purchase, improvement
21 and upgrade of the Department of Correction - Various Industry Projects, in a
22 sum not to exceed.....\$108,950.
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24 SECTION 3. REAPPROPRIATION - VARIOUS FARM PROJECTS. There is hereby
25 appropriated, to the Department of Correction, to be payable from the
26 Department of Correction Farm Fund, for the Department of Correction the
27 following:

28 (A) Effective July 1, 2014, the balance of the appropriation provided
29 in Item (A) Section 3 of Act 249 of 2013, for maintenance, replacement,
30 repair, expansion, construction, equipping, renovation, purchase,
31 improvement, and upgrade of the Department of Correction - Various Farm
32 Projects, in a sum not to exceed.....\$159,686.
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34 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
35 obligations otherwise incurred in relation to the project or projects
36 described herein in excess of the State Treasury funds actually available

1 therefor as provided by law. Provided, however, that institutions and
2 agencies listed herein shall have the authority to accept and use grants and
3 donations including Federal funds, and to use its unobligated cash income or
4 funds, or both available to it, for the purpose of supplementing the State
5 Treasury funds for financing the entire costs of the project or projects
6 enumerated herein. Provided further, that the appropriations and funds
7 otherwise provided by the General Assembly for Maintenance and General
8 Operations of the agency or institutions receiving appropriation herein shall
9 not be used for any of the purposes as appropriated in this act.

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

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

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26 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
27 Assembly, that the Constitution of the State of Arkansas prohibits the
28 appropriation of funds for more than a one (1) year period; that the
29 effectiveness of this Act on July 1, 2014 is essential to the operation of
30 the agency for which the appropriations in this Act are provided, and that in
31 the event of an extension of the legislative session, the delay in the
32 effective date of this Act beyond July 1, 2014 could work irreparable harm
33 upon the proper administration and provision of essential governmental
34 programs. Therefore, an emergency is hereby declared to exist and this Act
35 being necessary for the immediate preservation of the public peace, health
36 and safety shall be in full force and effect from and after July 1, 2014.