

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

HOUSE BILL 1602

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 PROJECTS. 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, 2017, the balance of the appropriation provided in Item (A) Section 2 of Act 104 of 2016, for personal services and operating expenses of the Department of Correction - Ester Unit, in a sum not to exceed.....\$1,343,000.

(B) Effective July 1, 2017, the balance of the appropriation provided in Item (B) Section 2 of Act 104 of 2016, for personal services and operating expenses of the Department of Correction - Female Work Release - Pine Bluff, in a sum not to exceed.....\$1,286,909.

(C) Effective July 1, 2017, the balance of the appropriation provided in Item (C) Section 2 of Act 104 of 2016, for operating expenses of the Department of Correction - Ouachita River Unit, in a sum not to exceed.....\$574,113.

(D) Effective July 1, 2017, the balance of the appropriation provided



in Item (D) Section 2 of Act 104 of 2016, for operating expenses of the Department of Correction - Tucker Unit, in a sum not to exceed .....\$534,853.

(E) Effective July 1, 2017, the balance of the appropriation provided in Item (E) Section 2 of Act 104 of 2016, for a transfer to the County Jail Reimbursement Fund for the reimbursement to Regional County Detention Facilities housing state inmates of the Department of Correction - Regional County Detention Facility, in a sum not to exceed.....\$4,380,000.

(F) Effective July 1, 2017, the balance of the appropriation provided in Item (F) Section 2 of Act 104 of 2016, for maintenance, replacement, repair, expansion, construction, equipping, renovation, purchase, improvement and upgrade of existing facilities of the Department of Correction, in a sum not to exceed.....\$7,802,000.

(G) Effective July 1, 2017, the balance of the appropriation provided in Item (G) Section 2 of Act 104 of 2016, for operating expenses and professional fees associated with leasing bed space from out-of-state facilities, in a sum not to exceed.....\$213,000.

(H) Effective July 1, 2017, the balance of the appropriation provided in Item (H) Section 2 of Act 104 of 2016, 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.....\$2,277,300.

(I) Effective July 1, 2017, the balance of the appropriation provided in Item (I) Section 2 of Act 104 of 2016, for diagnostic building renovation, improvement, upgrade, equipping and construction of the Diagnostic Unit in Pine Bluff, in a sum not to exceed.....\$10,000,000.

(J) Effective July 1, 2017, the balance of the appropriation provided in Item (J) Section 2 of Act 104 of 2016, for critical infrastructure needs including the upgrade, replacement, or repair of microwave fence systems used to detect movement on facility grounds, in a sum not to exceed .....\$625,000.

(K) Effective July 1, 2017, the balance of the appropriation provided in Item (K) Section 2 of Act 104 of 2016, for purchase of a vertical pressure water filtration system at the Tucker Unit, in a sum not to exceed.....\$80,000.

(L) Effective July 1, 2017, the balance of the appropriation provided

in Item (L) Section 2 of Act 104 of 2016, for replacement, upgrade, and addition to the current camera security systems and recorders utilized at each correctional facility, in a sum not to exceed.....\$2,000,000.

(M) Effective July 1, 2017, the balance of the appropriation provided in Item (M) Section 2 of Act 104 of 2016, for maintenance, replacement, repair, expansion, construction, equipping, renovation, purchase, improvement and upgrade of existing facilities, in a sum not to exceed.....\$3,000,000.

(N) Effective July 1, 2017, the balance of the appropriation provided in Item (N) Section 2 of Act 104 of 2016, for drainage maintenance at the East Arkansas Unit, in a sum not to exceed.....\$300,000.

(O) Effective July 1, 2017, the balance of the appropriation provided in Item (O) Section 2 of Act 104 of 2016, for remodel of an existing structure at the Cummins Farm to accommodate a rice and grist mill, in a sum not to exceed.....\$604,830.

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, 2017, the balance of the appropriation provided in Item (A) Section 3 of Act 104 of 2016, 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.....\$108,950.

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, 2017, the balance of the appropriation provided in Item (A) Section 4 of Act 104 of 2016, 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.....\$140,535.

(B) Effective July 1, 2017, the balance of the appropriation provided in Item (B) Section 4 of Act 104 of 2016, for construction of grain storage

bins at the East Arkansas Unit, in a sum not to exceed.....\$200,000.

(C) Effective July 1, 2017, the balance of the appropriation provided in Item (C) Section 4 of Act 104 of 2016, for construction of grain storage bins at the Tucker Unit, in a sum not to exceed.....\$200,000.

(D) Effective July 1, 2017, the balance of the appropriation provided in Item (D) Section 4 of Act 104 of 2016, for renovation of the current Dairy facility and replacement of equipment, in a sum not to exceed .....\$2,799,800.

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

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

SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative

Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2017 is essential to the operation of 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, 2017 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, 2017.