

1 State of Arkansas  
2 84th General Assembly  
3 First Extraordinary Session, 2003  
4

# A Bill

Call Item 10

HOUSE BILL 1015

5 By: Joint Budget Committee  
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## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
10 OF CORRECTION FOR LEASE PAYMENTS; AND FOR OTHER  
11 PURPOSES.  
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13

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF CORRECTION  
16 - LEASE PAYMENTS GENERAL IMPROVEMENT  
17 APPROPRIATION.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby  
23 appropriated, to the Department of Correction, to be payable from the  
24 Department of Correction Lease Payment Fund, the following:

25 (A) For lease payments associated with the debt service on a 948-bed  
26 institution at Malvern and a 400-bed addition to the Grimes Unit at Newport,  
27 the sum of .....\$6,400,000.  
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29 SECTION 2. SPECIAL LANGUAGE. FUND ESTABLISHMENT. There is hereby  
30 established on the books of the Treasurer of State, the Auditor of State, and  
31 the Chief Fiscal Officer of the State a fund to be known as the Department of  
32 Correction Lease Payment Fund, there to be used for the purposes as may be  
33 provided by law. The fund shall consist of:

- 34 (1) Such general improvement funds as may be provided by law; and  
35 (2) Any other funds made available and required to be deposited into the  
36 State Treasury by law.



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SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER. Immediately upon the effective date of this act the Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer and Auditor of State the sum of six million four hundred thousand dollars (\$6,400,000) from the General Improvement Fund to the Department of Correction Lease Payment Fund.

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.

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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 two (2) year period; that the effectiveness of this Act on July 1, 2003 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 Regular Session, the delay in the effective date of this Act beyond July 1, 2003 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, 2003.