

1 State of Arkansas
2 92nd General Assembly
3 Fiscal Session, 2020

A Bill

HOUSE BILL 1013

4
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 CORRECTIONS - DIVISION OF CORRECTION; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTIONS
15 - DIVISION OF CORRECTION REAPPROPRIATION.
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

SECTION 1. REAPPROPRIATION - DEVELOPMENT AND ENHANCEMENT FUND PROJECTS.

21 There is hereby appropriated, to the Department of Corrections, to be payable
22 from the Development and Enhancement Fund, for the Department of Corrections
23 - Division of Correction the following:
24

25 (A) Effective July 1, 2020, the balance of the appropriation provided
26 in Item (A) of Section 1 of Act 225 of 2019, for personal services and
27 operating expenses of the Division of Correction - Ester Unit, in a sum not
28 to exceed\$35,081.

29 (B) Effective July 1, 2020, the balance of the appropriation provided
30 in Item (B) of Section 1 of Act 225 of 2019, for personal services and
31 operating expenses of the Division of Correction - Female Work Release -
32 Pine Bluff, in a sum not to exceed\$885,933.

33 (C) Effective July 1, 2020, the balance of the appropriation provided
34 in Item (C) of Section 1 of Act 225 of 2019, for operating expenses of the
35 Tucker Unit, in a sum not to exceed\$140,820.

36 (D) Effective July 1, 2020, the balance of the appropriation provided



1 in Item (D) of Section 1 of Act 225 of 2019, for maintenance, replacement,
2 repair, expansion, construction, equipping, renovation, purchase, improvement
3 and upgrade of existing facilities of the Division of Correction, in a sum
4 not to exceed\$2,987,223.

5 (E) Effective July 1, 2020, the balance of the appropriation provided
6 in Item (F) of Section 1 of Act 225 of 2019, for construction to expand the
7 existing visitation center at the McPherson Unit, in a sum not to exceed
8\$141,342.

9 (F) Effective July 1, 2020, the balance of the appropriation provided
10 in Item (G) of Section 1 of Act 225 of 2019, for construction to expand the
11 existing Administration Building at the McPherson Unit, in a sum not to
12 exceed\$335,794.

13 (G) Effective July 1, 2020, the balance of the appropriation provided
14 in Item (J) of Section 1 of Act 225 of 2019, for construction of two armories
15 at the Varner and Tucker Units, in a sum not to exceed\$138,399.

16 (H) Effective July 1, 2020, the balance of the appropriation provided
17 in Item (L) of Section 1 of Act 225 of 2019, for replacement of the existing
18 Water Treatment Plant at the Tucker Unit, in a sum not to exceed
19\$1,093,848.

20
21 SECTION 2. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is
22 hereby appropriated, to the Department of Corrections, to be payable from the
23 Development and Enhancement Fund, for the Department of Corrections -
24 Division of Correction the following:

25 (A) Effective July 1, 2020, the balance of the appropriation provided
26 in Item (A) of Section 1 of Act 411 of 2019, for lease payments associated
27 with debt service on a 948-bed institution at Malvern, a 400-bed addition at
28 the Grimes Unit at Newport, and 862-bed Special Needs Unit and addition to
29 Ouachita River Unit at Malvern, in a sum not to exceed\$10,500,000.

30 (B) Effective July 1, 2020, the balance of the appropriation provided
31 in Item (B) of Section 1 of Act 411 of 2019, for Phase II of III of the
32 Tucker Water Treatment Plant, in a sum not to exceed\$1,093,848.

33 (C) Effective July 1, 2020, the balance of the appropriation provided
34 in Item (C) of Section 1 of Act 411 of 2019, for lethal fence upgrades at
35 Cummins/Varner, in a sum not to exceed\$580,000.

36 (D) Effective July 1, 2020, the balance of the appropriation provided

1 in Item (D) of Section 1 of Act 411 of 2019, for fence replacement at
2 Delta/North Central/Wrightsville, in a sum not to exceed\$1,150,000.

3 (E) Effective July 1, 2020, the balance of the appropriation provided
4 in Item (E) of Section 1 of Act 411 of 2019, for replacement, upgrades and
5 additions to the current security camera systems at Cummins, Varner and
6 Wrightsville, in a sum not to exceed\$2,400,000.

7 (F) Effective July 1, 2020, the balance of the appropriation provided
8 in Item (F) of Section 1 of Act 411 of 2019, for expansion of Pine Bluff
9 maintenance fabrication shop, in a sum not to exceed\$120,000.

10 (G) Effective July 1, 2020, the balance of the appropriation provided
11 in Item (G) of Section 1 of Act 411 of 2019, for replacement of existing
12 equipment for the East Arkansas Water Waste Project, in a sum not to exceed
13\$259,000.

14 (H) Effective July 1, 2020, the balance of the appropriation provided
15 in Item (H) of Section 1 of Act 411 of 2019, for roof replacement - Pine
16 Bluff/RLW, in a sum not to exceed\$2,800,000.

17 (I) Effective July 1, 2020, the balance of the appropriation provided
18 in Item (I) of Section 1 of Act 411 of 2019, for replacing cell door control
19 panels at the Grimes Unit, in a sum not to exceed\$400,000.

20 (J) Effective July 1, 2020, the balance of the appropriation provided
21 in Item (J) of Section 1 of Act 411 of 2019, for additional well to provide
22 drinking water to Cummins & Varner Units, in a sum not to exceed ..\$900,000.

23 (K) Effective July 1, 2020, the balance of the appropriation provided
24 in Item (K) of Section 1 of Act 411 of 2019, for Northwest Arkansas Work
25 Release Laundry & Commissary Building, in a sum not to exceed\$250,000.

26 (L) Effective July 1, 2020, the balance of the appropriation provided
27 in Item (L) of Section 1 of Act 411 of 2019, for repairs and expansion of
28 parking lot at Ouachita River Unit, in a sum not to exceed\$326,362.

29 (M) Effective July 1, 2020, the balance of the appropriation provided
30 in Item (M) of Section 1 of Act 411 of 2019, for addition to the existing
31 North Central Unit - additional 576 beds, additional 30 Administrative
32 Segregation beds and additional Administration and Support Staff offices and
33 program rooms, in a sum not to exceed\$39,283,656.

34

35 SECTION 3. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS - CASH. There
36 is hereby appropriated, to the Department of Corrections, to be payable from

1 the cash fund deposited in the State Treasury as determined by the Chief
2 Fiscal Officer of the State, for the Department of Correction - Division of
3 Correction the following:

4 (A) Effective July 1, 2020, the balance of the appropriation provided
5 in Section 4 of Act 411 of 2019, for construction, renovation and major
6 maintenance of facilities and Central Warehouse of the Division of Correction
7 ,in a sum not to exceed\$5,000,000.

8
9 SECTION 4. REAPPROPRIATION - VARIOUS FARM PROJECTS. There is hereby
10 appropriated, to the Department of Corrections, to be payable from the
11 Division of Correction Farm Fund, for the Department of Corrections -
12 Division of Correction the following:

13 (A) Effective July 1, 2020, the balance of the appropriation provided
14 in Item (A) of Section 3 of Act 225 of 2019, for maintenance, replacement,
15 repair, expansion, construction, equipping, renovation, purchase,
16 improvement, and upgrade of the Division of Correction - Various Farm
17 Projects, in a sum not to exceed\$140,534.

18 (B) Effective July 1, 2020, the balance of the appropriation provided
19 in Item (B) of Section 3 of Act 225 of 2019, for construction of grain
20 storage bins at the East Arkansas Unit, in a sum not to exceed\$200,000.

21 (C) Effective July 1, 2020, the balance of the appropriation provided
22 in Item (C) of Section 3 of Act 225 of 2019, for construction of grain
23 storage bins at the Tucker Unit, in a sum not to exceed\$200,000.

24 (D) Effective July 1, 2020, the balance of the appropriation provided
25 in Item (D) of Section 3 of Act 225 of 2019, for renovation of the current
26 dairy facility and replacement of equipment, in a sum not to exceed
27\$2,799,800.

28 (E) Effective July 1, 2020, the balance of the appropriation provided
29 in Item (E) of Section 3 of Act 225 of 2019, for construction of grain
30 storage bins at Cummins, Tucker and East Arkansas Units, in a sum not to
31 exceed\$2,430,250.

32 (F) Effective July 1, 2020, the balance of the appropriation provided
33 in Item (F) of Section 3 of Act 225 of 2019, for maintenance and repair to
34 upgrade the existing feed mill at the Cummins Unit, in a sum not to exceed
35\$889,750.

36 (G) Effective July 1, 2020, the balance of the appropriation provided

1 in Item (A) of Section 2 of Act 411 of 2019, for Irrigation Project at
2 Tucker/Cummins, in a sum not to exceed\$110,000.

3 (H) Effective July 1, 2020, the balance of the appropriation provided
4 in Item (B) of Section 2 of Act 411 of 2019, for various farm projects for
5 maintenance, replacement, repair, expansion, construction, equipping,
6 renovation, purchase, improvement, and upgrade of the Division of Correction,
7 in a sum not to exceed\$1,000,000.

8
9 SECTION 5. REAPPROPRIATION - VARIOUS INDUSTRY PROJECTS. There is
10 hereby appropriated, to the Department of Corrections, to be payable from the
11 Division of Correction Prison Industry Fund, for the Department of
12 Corrections - Division of Correction the following:

13 (A) Effective July 1, 2020, the balance of the appropriation provided
14 in Item (A) of Section 2 of Act 225 of 2019, for maintenance, replacement,
15 repair, expansion, construction, equipping, renovation, purchase, improvement
16 and upgrade of the Division of Correction - Various Industry Projects, in a
17 sum not to exceed\$108,950.

18 (B) Effective July 1, 2020, the balance of the appropriation provided
19 in Item (A) of Section 3 of Act 411 of 2019, for various industry projects
20 including storage at the Wrightsville Unit near the industry buildings, in a
21 sum not to exceed\$150,000.

22 (C) Effective July 1, 2020, the balance of the appropriation provided
23 in Item (B) of Section 3 of Act 411 of 2019, for various industry projects
24 for maintenance, replacement, repair, expansion, construction, equipping,
25 renovation, purchase, improvement, and upgrade of the Division of Correction,
26 in a sum not to exceed\$1,000,000.

27 (D) Effective July 1, 2020, the balance of the appropriation provided
28 in Item (C) of Section 3 of Act 411 of 2019, for construction, renovation and
29 major maintenance of facilities and Central Warehouse, in a sum not to exceed
30\$5,000,000.

31
32 SECTION 6. REAPPROPRIATION - CAPITAL IMPROVEMENT PROJECTS. There is
33 hereby appropriated, to the Department of Corrections, to be payable from the
34 Development and Enhancement Fund, for the Department of Correction -
35 Riverside Vocational Technical School the following:

36 (A) Effective July 1, 2020, the balance of the appropriation provided

1 in Item (B) of Section 1 of Act 233 of 2019, for transfers of or refund to
2 expenditures for capital balances for construction, renovation, major
3 maintenance, and purchase of equipment for various capital projects or
4 facility improvements, in a sum not to exceed\$140,290.
5

6 SECTION 7. REAPPROPRIATION - RIVERSIDE CAPITAL IMPROVEMENTS. There is
7 hereby appropriated, to the Department of Corrections, to be payable from the
8 Development and Enhancement Fund, for the Department of Corrections -
9 Riverside Vocational Technical School the following:

10 (A) Effective July 1, 2020, the balance of the appropriation provided
11 in Item (A) of Section 1 of Act 404 of 2019, for transfers of or refund to
12 expenditures for capital balances for construction, renovation, major
13 maintenance, and purchase of equipment for various capital projects or
14 facility improvements, in a sum not to exceed\$1,000,000.
15

16 SECTION 8. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
17 obligations otherwise incurred in relation to the project or projects
18 described herein in excess of the State Treasury funds actually available
19 therefor as provided by law. Provided, however, that institutions and
20 agencies listed herein shall have the authority to accept and use grants and
21 donations including Federal funds, and to use its unobligated cash income or
22 funds, or both available to it, for the purpose of supplementing the State
23 Treasury funds for financing the entire costs of the project or projects
24 enumerated herein. Provided further, that the appropriations and funds
25 otherwise provided by the General Assembly for Maintenance and General
26 Operations of the agency or institutions receiving appropriation herein shall
27 not be used for any of the purposes as appropriated in this act.

28 (B) The restrictions of any applicable provisions of the State
29 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
30 Revenue Stabilization Law and any other applicable fiscal control laws of
31 this State and regulations promulgated by the Department of Finance and
32 Administration, as authorized by law, shall be strictly complied with in
33 disbursement of any funds provided by this act unless specifically provided
34 otherwise by law.
35

36 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations
2 contained in this act shall be in compliance with the stated reasons for
3 which this act was adopted, as evidenced by the Agency Requests, Executive
4 Recommendations and Legislative Recommendations contained in the budget
5 manuals prepared by the Department of Finance and Administration, letters, or
6 summarized oral testimony in the official minutes of the Arkansas Legislative
7 Council or Joint Budget Committee which relate to its passage and adoption.
8

9 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the
10 General Assembly, that the Constitution of the State of Arkansas prohibits
11 the appropriation of funds for more than a one (1) year period; that the
12 effectiveness of this Act on July 1, 2020 is essential to the operation of
13 the agency for which the appropriations in this Act are provided, and that in
14 the event of an extension of the legislative session, the delay in the
15 effective date of this Act beyond July 1, 2020 could work irreparable harm
16 upon the proper administration and provision of essential governmental
17 programs. Therefore, an emergency is hereby declared to exist and this Act
18 being necessary for the immediate preservation of the public peace, health
19 and safety shall be in full force and effect from and after July 1, 2020.
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36