

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A BILL ACT 446 OF 1991
HOUSE BILL 1777

For An Act To Be Entitled

8 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF HUMAN
10 SERVICES; AND FOR OTHER PURPOSES."

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12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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14 SECTION 1. REAPPROPRIATION - ADMINISTRATION. There is hereby
15 appropriated, to the Department of Human Services - Administration, to be
16 payable from the Department of Human Services Renovation Fund, for the
17 Department of Human Services - Administration, the following:

18 (A) Effective July 1, 1991, the balance of the appropriation provided
19 in Item (A) of Section 2 of Act 221 of the First Extraordinary Session of
20 1989, for construction, repairs to and equipment for various buildings
21 operated by the Department of Human Services and for paying disallowances by
22 the federal government, in a sum not to exceed\$3,859,647.

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24 SECTION 2. REAPPROPRIATION - DEVELOPMENTAL DISABILITIES. There is
25 hereby appropriated, to the Department of Human Services - Division of
26 Developmental Disabilities Services, to be payable from cash funds as defined
27 by Arkansas Code 19-4-801 of the Department of Human Services - Division of
28 Developmental Disabilities Services, for the Department of Human Services -
29 Division of Developmental Disabilities Services, the following:

30 (A) Effective July 1, 1991, the balance of the appropriation provided
31 in Item (A) of Section 1 of Act 221 of the First Extraordinary Session of
32 1989, for construction and capital outlay, in a sum not to exceed. ..\$32,569.

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34 SECTION 3. REAPPROPRIATION - DEVELOPMENTAL DISABILITIES. There is
35 hereby appropriated, to the Department of Human Services - Division of
36 Developmental Disabilities Services, to be payable from the General

1 Improvement Fund, or its successor fund or fund accounts, for the Department
2 of Human Services - Division of Developmental Disabilities Services, the
3 following:

4 (A) Effective July 1, 1991, the balance of the appropriation provided
5 in Item (A) of Section 4 of Act 221 of the First Extraordinary Session of
6 1989, for equipment, major maintenance, renovation and repairs, in a sum not
7 to exceed \$22,702.

8 (B) Effective July 1, 1991, the balance of the appropriation provided
9 in Item (A) of Section 2 of Act 149 of the First Extraordinary Session of
10 1989, for equipment, major maintenance, renovations and repairs for fire
11 safety at Alexander, Arkadelphia, and Booneville institutions, in a sum not to
12 exceed \$121,000.

13 (C) Effective July 1, 1991, the balance of the appropriation provided
14 in Item (B) of Section 2 of Act 149 of the First Extraordinary Session of
15 1989, for major maintenance and renovations at Human Development Centers, in a
16 sum not to exceed \$188,000.

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18 SECTION 4. REAPPROPRIATION - REHABILITATION SERVICES - HOT SPRINGS
19 CENTER. There is hereby appropriated, to the Department of Human Services -
20 Division of Rehabilitation Services, to be payable from the General
21 Improvement Fund, or its successor fund or fund accounts, for the Department
22 of Human Services - Division of Rehabilitation Services - Hot Springs Center,
23 the following:

24 (A) Effective July 1, 1991, the balance of the appropriation provided
25 in Item (A) of Section 3 of Act 149 of the First Extraordinary Session of
26 1989, for major maintenance, renovation and repair, in a sum not to exceed
27 \$150,000.

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29 SECTION 5. REAPPROPRIATION - MENTAL HEALTH SERVICES. There is hereby
30 appropriated, to the Department of Human Services - Division of Mental Health
31 Services, to be payable from the General Improvement Fund, or its successor
32 fund or fund accounts, for the Department of Human Services - Division of
33 Mental Health Services, the following:

34 (A) Effective July 1, 1991, the balance of the appropriation provided
35 in Item (B) of Section 1 of Act 149 of the First Extraordinary Session of

1 1989, for major maintenance, renovations or repair of patient units at the
2 Arkansas State Hospital, in a sum not to exceed \$350,000.

3 (B) Effective July 1, 1991, the balance of the appropriation provided
4 in Item (A) of Section 1 of Act 90 of the Third Extraordinary Session of 1989,
5 for replacement of Rogers Hall; to provide defendant evaluations; and for the
6 provision of court ordered training and certification costs pursuant to
7 Baldrige v. Clinton, in a sum not to exceed \$6,541,948.

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9 SECTION 6. REAPPROPRIATION - ADMINISTRATION. There is hereby
10 appropriated, to the Department of Human Services - Administration, to be
11 payable from the General Improvement Fund, or its successor fund or fund
12 accounts, for the Department of Human Services - Administration, the
13 following:

14 (A) Effective July 1, 1991, the balance of the appropriation provided
15 in Item (A) of Section 4 of Act 149 of the First Extraordinary Session of
16 1989, for asbestos removal at various institutional facilities, in a sum not
17 to exceed. \$500,000.

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19 SECTION 7. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
20 obligations otherwise incurred in relation to the project or projects
21 described herein in excess of the State Treasury funds actually available
22 therefor as provided by law. Provided, however, that institutions and
23 agencies listed herein shall have the authority to accept and use grants and
24 donations including Federal funds, and to use its unobligated cash income or
25 funds, or both available to it, for the purpose of supplementing the State
26 Treasury funds for financing the entire costs of the project or projects
27 enumerated herein. Provided further, that the appropriations and funds
28 otherwise provided by the General Assembly for Maintenance and General
29 Operations of the agency or institutions receiving appropriation herein shall
30 not be used for any of the purposes as appropriated in this Act.

31 (B) Any restrictions contained in the Acts enumerated in the
32 reappropriation sections of this Act, the restrictions of any applicable
33 provisions of the State Purchasing Law, the General Accounting and Budgetary
34 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal
35 control laws of this State and regulations promulgated by the Department of

1 Finance and Administration, as authorized by law, shall be strictly complied
2 with in disbursement of any funds provided by this Act unless specifically
3 provided otherwise by law.

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5 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General
6 Assembly that any funds disbursed under the authority of the appropriations
7 contained in this Act shall be in compliance with the stated reasons for which
8 this Act was adopted, as evidenced by the Agency Requests, Executive
9 Recommendations and Legislative Recommendations contained in the budget
10 manuals prepared by the Department of Finance and Administration, letters, or
11 summarized oral testimony in the official minutes of the Arkansas Legislative
12 Council or Joint Budget Committee which relate to its passage and adoption.

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14 SECTION 9. CODE. All provisions of this Act of a general and permanent
15 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
16 Code Revision Commission shall incorporate the same in the Code.

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18 SECTION 10. SEVERABILITY. If any provision of this Act or the
19 application thereof to any person or circumstance is held invalid, such
20 invalidity shall not affect other provisions or applications of the Act which
21 can be given effect without the invalid provision or application, and to this
22 end the provisions of this Act are declared to be severable.

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24 SECTION 11. GENERAL REPEALER. All laws and parts of laws in conflict
25 with this Act are hereby repealed.

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27 SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by the
28 Seventy-Eighth General Assembly, that the Constitution of the State of
29 Arkansas prohibits the appropriation of funds for more than a two (2) year
30 period; that previous General Assemblies have provided appropriations for the
31 projects provided enumerated in this act; that certain appropriations will
32 expire before the adjournment of the General Assembly; and that if such
33 appropriations expire, the projects and programs authorized herein will cease
34 thereby depriving the citizens of the State of the benefits to be derived from
35 such projects. Therefore, an emergency is hereby declared to exist and this

1 Act being necessary for the immediate preservation of the public peace, health
2 and safety shall be in full force and effect from and after the date of its
3 passage and approval.

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APPROVED: 3-11-91

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