

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1388 of the Regular Session

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

As Engrossed: H3/2/07

A Bill

HOUSE BILL 2165

5 By: Representatives D. Johnson, *Webb*  
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8 **For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
10 OF HEALTH AND HUMAN SERVICES - DIVISION OF  
11 DEVELOPMENTAL DISABILITIES SERVICES FOR  
12 INTERMEDIATE CARE FACILITIES; AND FOR OTHER  
13 PURPOSES.  
14

15 **Subtitle**

16 AN ACT FOR THE DEPARTMENT OF HEALTH AND  
17 HUMAN SERVICES - DIVISION OF  
18 DEVELOPMENTAL DISABILITIES SERVICES -  
19 INTERMEDIATE CARE FACILITIES GENERAL  
20 IMPROVEMENT APPROPRIATION.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. APPROPRIATIONS - INTERMEDIATE CARE FACILITIES. There is hereby  
27 appropriated, to the Department of Health and Human Services - Division of  
28 Developmental Disabilities Services, to be payable from the General  
29 Improvement Fund or its successor fund or fund accounts, the following:

30 (A) For critical maintenance, repair, improvement, renovation, and  
31 construction projects for non-profit intermediate care facilities for the  
32 mentally retarded that provide intensive inpatient rehabilitation services to  
33 children with severe disabilities from across the state, the sum of  
34 .....\$150,000.  
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1 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
2 obligations otherwise incurred in relation to the project or projects  
3 described herein in excess of the State Treasury funds actually available  
4 therefor as provided by law. Provided, however, that institutions and  
5 agencies listed herein shall have the authority to accept and use grants and  
6 donations including Federal funds, and to use its unobligated cash income or  
7 funds, or both available to it, for the purpose of supplementing the State  
8 Treasury funds for financing the entire costs of the project or projects  
9 enumerated herein. Provided further, that the appropriations and funds  
10 otherwise provided by the General Assembly for Maintenance and General  
11 Operations of the agency or institutions receiving appropriation herein shall  
12 not be used for any of the purposes as appropriated in this act.

13 (B) The restrictions of any applicable provisions of the State Purchasing  
14 Law, the General Accounting and Budgetary Procedures Law, the Revenue  
15 Stabilization Law and any other applicable fiscal control laws of this State  
16 and regulations promulgated by the Department of Finance and Administration,  
17 as authorized by law, shall be strictly complied with in disbursement of any  
18 funds provided by this act unless specifically provided otherwise by law.  
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20 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General Assembly  
21 that any funds disbursed under the authority of the appropriations contained  
22 in this act shall be in compliance with the stated reasons for which this act  
23 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
24 and Legislative Recommendations contained in the budget manuals prepared by  
25 the Department of Finance and Administration, letters, or summarized oral  
26 testimony in the official minutes of the Arkansas Legislative Council or  
27 Joint Budget Committee which relate to its passage and adoption.  
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29 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
30 Assembly, that the Constitution of the State of Arkansas prohibits the  
31 appropriation of funds for more than a two (2) year period; that the  
32 effectiveness of this Act on July 1, 2007 is essential to the operation of  
33 the agency for which the appropriations in this Act are provided, and that in  
34 the event of an extension of the Regular Session, the delay in the effective  
35 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
36 proper administration and provision of essential governmental programs.

1 Therefore, an emergency is hereby declared to exist and this Act being  
2 necessary for the immediate preservation of the public peace, health and  
3 safety shall be in full force and effect from and after July 1, 2007.

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*/s/ D. Johnson, et al*

**APPROVED: 4/5/2007**