

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 309 of the Regular Session

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

As Engrossed: H3/1/07

A Bill

HOUSE BILL 1772

4
5 By: Representatives Glidewell, Medley, Walters, R. Green, Pyle, Pennartz

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8 **For An Act To Be Entitled**

9 AN ACT TO AMEND AND CLARIFY THE APPROPRIATION
10 ENACTED BY ACT 1624 OF THE REGULAR SESSION OF
11 2005 AND TO CLARIFY SECTION 3 OF ACT 2315 OF THE
12 REGULAR SESSION OF 2005 REGARDING THE WESTERN
13 ARKANSAS COUNSELING AND GUIDANCE CENTER.

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15 **Subtitle**

16 AN ACT TO AMEND AND CLARIFY THE
17 APPROPRIATION ENACTED BY ACT 1624 OF THE
18 REGULAR SESSION OF 2005 AND TO CLARIFY
19 SECTION 3 OF ACT 2315 OF THE REGULAR
20 SESSION OF 2005 REGARDING THE WESTERN
21 ARKANSAS COUNSELING AND GUIDANCE CENTER.

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

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26 SECTION 1. Uncodified Section 1(A) of Act 1624 of 2005 is amended to
27 read as follows:

28 (A) For state assistance to the Western Arkansas Counseling and
29 Guidance Center ~~to renovate designated space within Sparks Regional Medical~~
30 ~~Center for the 24/7 operation of a community based Crisis Resolution Center,~~
31 for construction, renovation and/or 24/7 operation of a community based
32 mental health Crisis Resolution Center in an acute care hospital, the sum of
33 \$250,000.

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35 SECTION 2. As referenced in Section 3 of Act 2315 of the Regular



1 Session, 85th General Assembly, which identifies the Western Arkansas
2 Counseling and Guidance Center project as being for the Regional Medical
3 Center, shall instead be deemed to be for construction, renovation and/or
4 24/7 operation of a community based mental health Crisis Resolution Center in
5 an acute care hospital.

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7 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WESTERN
9 ARKANSAS COUNSELING AND GUIDANCE CENTER. It is the intent that if the
10 appropriation provided in subsection (A) in Section 1 of this Act is not
11 needed by the Western Arkansas Counseling and Guidance Center for the
12 renovation and/or 24/7 operation of a community based mental health Crisis
13 Resolution Center in an acute care hospital located in Fort Smith, Arkansas,
14 that it shall be utilized by the Western Arkansas Counseling and Guidance
15 Center for the renovation and/or 24/7 operation of a community based mental
16 health Crisis Resolution Center in an acute care hospital established within
17 a fifty (50) mile radius of the greater Fort Smith, Arkansas area. The
18 Western Arkansas Counseling and Guidance Center shall report to the Arkansas
19 Legislative Council or Joint Budget Committee by July 1, 2007 if the
20 appropriation provided in subsection (A) in section 1 of this Act is needed
21 for the renovation and/or 24/7 operation of a community based mental health
22 Crisis Resolution Center in an acute care hospital located in Fort Smith,
23 Arkansas, or the renovation and/or 24/7 operation of a community based mental
24 health Crisis Resolution Center in an acute care hospital established within
25 a fifty (50) mile radius of the greater Fort Smith, Arkansas area.

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27 SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
28 obligations otherwise incurred in relation to the project or projects
29 described herein in excess of the State Treasury funds actually available
30 therefor as provided by law. Provided, however, that institutions and
31 agencies listed herein shall have the authority to accept and use grants and
32 donations including Federal funds, and to use its unobligated cash income or
33 funds, or both available to it, for the purpose of supplementing the State
34 Treasury funds for financing the entire costs of the project or projects
35 enumerated herein. Provided further, that the appropriations and funds
36 otherwise provided by the General Assembly for Maintenance and General

1 Operations of the agency or institutions receiving appropriation herein shall
2 not be used for any of the purposes as appropriated in this act.

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

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

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20 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
21 Assembly of the State of Arkansas that Act 1624 of 2005 enacted an
22 appropriation to provide funding for the Western Arkansas Counseling and
23 Guidance Center for the 24/7 operation of a community based Crisis Resolution
24 Center and Act 2315 of the Regular Session of 2005 authorized funding for
25 that purpose; that due to a change in circumstances, the need has arisen at
26 the Western Arkansas Counseling and Guidance Center for a community based
27 mental health Crisis Resolution Center; that to provide funding for this
28 purpose, the passage of this act is necessary. Therefore, and emergency is
29 declared to exist and this act being immediately necessary for the
30 preservation of the public peace, health, and safety shall become effective
31 on:

32 (1) The date of its approval by the Governor;

33 (2) If the bill is neither approved nor vetoed by the Governor, the
34 expiration of the period of time during which the Governor may veto the bill;
35 or

36 (3) If the bill is vetoed by the Governor and the veto is overridden,

1 the date the last house overrides the veto.

2 /s/ Glidewell, et al

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APPROVED: 3/16/2007

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