

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 391

5 By: Senator Laverty
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 HUMAN SERVICES - DIVISION OF DEVELOPMENTAL
10 DISABILITIES SERVICES FOR COMMUNITY PROGRAMS; AND FOR
11 OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES
15 - DIVISION OF DEVELOPMENTAL DISABILITIES
16 SERVICES - COMMUNITY PROGRAMS GENERAL
17 IMPROVEMENT APPROPRIATION.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATION - COMMUNITY PROGRAMS. There is hereby
24 appropriated, to the Department of Human Services - Division of Developmental
25 Disabilities Services, to be payable from the General Improvement Fund or its
26 successor fund or fund accounts, the following:

27 (A) for grants to community programs serving developmentally disabled
28 individuals for personal services and operating expenses, construction,
29 improvements, equipment, renovation, and maintenance expenses, in a sum not
30 to exceed.....\$1,000,000.
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32 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

34 Notwithstanding any other rules, regulations or provision of law to the
35 contrary the appropriations authorized in this Act shall not be restricted by
36 requirements that may be applicable to other programs currently administered.



1 New rules and regulations may be adopted to carry out the intent of the
 2 General Assembly regarding the appropriations authorized in this Act.

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 4 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
 5 obligations otherwise incurred in relation to the project or projects
 6 described herein in excess of the State Treasury funds actually available
 7 therefor as provided by law. Provided, however, that institutions and
 8 agencies listed herein shall have the authority to accept and use grants and
 9 donations including Federal funds, and to use its unobligated cash income or
 10 funds, or both available to it, for the purpose of supplementing the State
 11 Treasury funds for financing the entire costs of the project or projects
 12 enumerated herein. Provided further, that the appropriations and funds
 13 otherwise provided by the General Assembly for Maintenance and General
 14 Operations of the agency or institutions receiving appropriation herein shall
 15 not be used for any of the purposes as appropriated in this act.

16 (B) The restrictions of any applicable provisions of the State
 17 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
 18 Revenue Stabilization Law and any other applicable fiscal control laws of
 19 this State and regulations promulgated by the Department of Finance and
 20 Administration, as authorized by law, shall be strictly complied with in
 21 disbursement of any funds provided by this act unless specifically provided
 22 otherwise by law.

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 24 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
 25 Assembly that any funds disbursed under the authority of the appropriations
 26 contained in this act shall be in compliance with the stated reasons for
 27 which this act was adopted, as evidenced by the Agency Requests, Executive
 28 Recommendations and Legislative Recommendations contained in the budget
 29 manuals prepared by the Department of Finance and Administration, letters, or
 30 summarized oral testimony in the official minutes of the Arkansas Legislative
 31 Council or Joint Budget Committee which relate to its passage and adoption.

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 33 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
 34 Assembly, that the Constitution of the State of Arkansas prohibits the
 35 appropriation of funds for more than a one (1) year period; that the
 36 effectiveness of this Act on July 1, 2011 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the legislative session, the delay in the
3 effective date of this Act beyond July 1, 2011 could work irreparable harm
4 upon the proper administration and provision of essential governmental
5 programs. Therefore, an emergency is hereby declared to exist and this Act
6 being necessary for the immediate preservation of the public peace, health
7 and safety shall be in full force and effect from and after July 1, 2011.

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10 **APPROVED: 03/21/2011**
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