

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

# A Bill

**SENATE BILL 406**

## **For An Act To Be Entitled**

7 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF  
8 HUMAN SERVICES - DIVISION OF MENTAL HEALTH SERVICES FOR  
9 RENOVATIONS, EQUIPMENT AND FURNISHINGS FOR THE BIRCH  
10 PROGRAM AT THE BENTON SERVICES CENTER; AND FOR OTHER  
11 PURPOSES."

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

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15 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the  
16 Department of Human Services - Division of Mental Health Services, to be  
17 payable from the General Improvement Fund or its successor fund or fund  
18 accounts, the following:

19 (A) For renovations, equipment and furnishings for the Birch Program at  
20 the Benton Services Center, the sum of ..... \$50,000.

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22 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
23 obligations otherwise incurred in relation to the project or projects  
24 described herein in excess of the State Treasury funds actually available  
25 therefor as provided by law. Provided, however, that institutions and  
26 agencies listed herein shall have the authority to accept and use grants and  
27 donations including Federal funds, and to use its unobligated cash income or  
28 funds, or both available to it, for the purpose of supplementing the State  
29 Treasury funds for financing the entire costs of the project or projects  
30 enumerated herein. Provided further, that the appropriations and funds  
31 otherwise provided by the General Assembly for Maintenance and General  
32 Operations of the agency or institutions receiving appropriation herein shall  
33 not be used for any of the purposes as appropriated in this Act.

34 (B) The restrictions of any applicable provisions of the State  
35 Purchasing Law, the General Accounting and Budgetary Procedures Law, the

1 Revenue Stabilization Law and any other applicable fiscal control laws of this  
2 State and regulations promulgated by the Department of Finance and  
3 Administration, as authorized by law, shall be strictly complied with in  
4 disbursement of any funds provided by this Act unless specifically provided  
5 otherwise by law.

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7 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General  
8 Assembly that any funds disbursed under the authority of the appropriations  
9 contained in this Act shall be in compliance with the stated reasons for which  
10 this Act was adopted, as evidenced by the Agency Requests, Executive  
11 Recommendations and Legislative Recommendations contained in the budget  
12 manuals prepared by the Department of Finance and Administration, letters, or  
13 summarized oral testimony in the official minutes of the Arkansas Legislative  
14 Council or Joint Budget Committee which relate to its passage and adoption.

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16 SECTION 4. CODE. All provisions of this Act of a general and permanent  
17 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
18 Code Revision Commission shall incorporate the same in the Code.

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20 SECTION 5. SEVERABILITY. If any provision of this Act or the  
21 application thereof to any person or circumstance is held invalid, such  
22 invalidity shall not affect other provisions or applications of the Act which  
23 can be given effect without the invalid provision or application, and to this  
24 end the provisions of this Act are declared to be severable.

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26 SECTION 6. GENERAL REPEALER. All laws and parts of laws in conflict  
27 with this Act are hereby repealed.

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29 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the  
30 Seventy-Eighth General Assembly, that the Constitution of the State of  
31 Arkansas prohibits the appropriation of funds for more than a two (2) year  
32 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
33 operation of the agency for which the appropriations in this Act are provided,  
34 and that in the event of an extension of the Regular Session, the delay in the  
35 effective date of this Act beyond July 1, 1991 could work irreparable harm  
36 upon the proper administration and provision of essential governmental

1 programs. Therefore, an emergency is hereby declared to exist and this Act  
2 being 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, 1991.

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*/s/Joint Budget Committee*