

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Joint Budget Committee**

# A Bill

**HOUSE BILL**

## 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."

## Subtitle

13 "AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES  
14 REAPPROPRIATION."

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

18 SECTION 1. REAPPROPRIATION - ADMINISTRATION. There is hereby  
19 appropriated, to the Department of Human Services - Administration, to be  
20 payable from the Department of Human Services Renovation Fund, for the  
21 Department of Human Services - Administration, the following:

22 (A) Effective July 1, 1993, the balance of the appropriation provided  
23 in Item (A) of Section 1 of Act 446 of 1991, for construction, repairs to and  
24 equipment for various buildings operated by the Department of Human Services  
25 and for paying disallowances by the federal government, in a sum not to exceed  
26 \$3,859,647.

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

33 (A) Effective July 1, 1993, the balance of the appropriation provided  
34 in Item (A) of Section 2 of Act 446 of 1991, for construction and capital  
35 outlay, in a sum not to exceed ..... \$18,740.

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SECTION 3. REAPPROPRIATION - DEVELOPMENTAL DISABILITIES SERVICES.

There is hereby appropriated, to the Department of Human Services - Division of Developmental Disabilities Services, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Human Services - Division of Developmental Disabilities Services, the following:

(A) Effective July 1, 1993, the balance of the appropriation provided in Item (A) of Section 3 of Act 446 of 1991, for equipment, major maintenance, renovation and repairs, in a sum not to exceed ..... \$10,732.

SECTION 4. REAPPROPRIATION - MENTAL HEALTH SERVICES. There is hereby

appropriated, to the Department of Human Services - Division of Mental Health Services, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Human Services - Division of Mental Health Services, the following:

(A) Effective July 1, 1993, the balance of the appropriation provided in Item (A) of Section 1 of Act 465 of 1991, for renovations, equipment and furnishings for the Birch Program at the Benton Services Center, in a sum not to exceed ..... \$50,000.

(B) Effective July 1, 1993, the balance of the appropriation provided in Item (D) of Section 5 of Act 1200 of 1991, for replacement of the central chilled condenser water pump at the Arkansas State Hospital, in a sum not to exceed ..... 28,000.

SECTION 5. REAPPROPRIATION - CHILDREN AND FAMILY SERVICES. There is

hereby appropriated, to the Department of Human Services - Division of Children and Family Services, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Human Services - Division of Children and Family Services, the following:

(A) Effective July 1, 1993, the balance of the appropriation provided in Item (B) of Section 3 of Act 1200 of 1991, for capital purchases relating to the restructuring of the Child Welfare System, in a sum not to exceed ..... \$500,000.

1 (B) Effective July 1, 1993, the balance of the appropriation provided  
2 in Item (C) of Section 3 of Act 1200 of 1991, for assisting in the  
3 construction of an Emergency Youth Shelter for the Stepping Stone Division of  
4 the Centers for Youth and Families, Inc., in a sum not to exceed ...\$150,000.

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

18 (B) Any restrictions contained in the Acts enumerated in the  
19 reappropriation sections of this Act, the restrictions of any applicable  
20 provisions of the State Purchasing Law, the General Accounting and Budgetary  
21 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal  
22 control laws of this State and regulations promulgated by the Department of  
23 Finance and Administration, as authorized by law, shall be strictly complied  
24 with in disbursement of any funds provided by this Act unless specifically  
25 provided otherwise by law.

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

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1 SECTION 8. CODE. All provisions of this Act of a general and permanent  
2 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
3 Code Revision Commission shall incorporate the same in the Code.

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5 SECTION 9. SEVERABILITY. If any provision of this Act or the  
6 application thereof to any person or circumstance is held invalid, such  
7 invalidity shall not affect other provisions or applications of the Act which  
8 can be given effect without the invalid provision or application, and to this  
9 end the provisions of this Act are declared to be severable.

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11 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict  
12 with this Act are hereby repealed.

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14 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the  
15 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas  
16 prohibits the appropriation of funds for more than a two (2) year period; that  
17 previous General Assemblies have provided appropriations for the projects  
18 provided enumerated in this act; that certain appropriations will expire  
19 before the adjournment of the General Assembly; and that if such  
20 appropriations expire, the projects and programs authorized herein will cease  
21 thereby depriving the citizens of the State of the benefits to be derived from  
22 such projects. Therefore, an emergency is hereby declared to exist and this  
23 Act being necessary for the immediate preservation of the public peace, health  
24 and safety shall be in full force and effect from and after the date of its  
25 passage and approval.

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