

1 **State of Arkansas**
2 **79th General Assembly**
3 **Second Extraordinary Session, 1994**
4 **By: *Joint Budget Committee***

Call Item 17
ACT 54 OF 1994
SENATE BILL 22

A Bill

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 HUMAN SERVICES FOR THE PURPOSE OF AWARDING GRANTS TO
10 COUNTIES OR CITIES OR BOTH FOR CONSTRUCTING OR RENOVATING
11 DETENTION FACILITIES FOR JUVENILES CHARGED WITH CRIMINAL
12 OR DELINQUENT ACTS OR FOR HOLDING FACILITIES FOR SUCH
13 JUVENILES; AND FOR PROVIDING FOR REGIONAL ASSESSMENT
14 CENTERS FOR JUVENILES FOR THE FISCAL YEAR ENDING JUNE 30,
15 1995; AND FOR OTHER PURPOSES."

Subtitle

17 "AN ACT FOR AN APPROPRIATION FOR
18 AWARDING GRANTS TO COUNTIES OR CITIES OR
19 BOTH FOR CONSTRUCTION OR RENOVATION OF
20 JUVENILE DETENTION FACILITIES."
21

22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24
25 SECTION 1. APPROPRIATIONS - DEPARTMENT OF HUMAN SERVICES - DIVISION OF
26 YOUTH SERVICES - GRANTS. There is hereby appropriated, to the Department of
27 Human Services, Division of Youth Services, to be payable from the Department
28 of Human Services Paying Account as designated by the Chief Fiscal Officer of
29 the State, for grants to counties or cities or both for the fiscal year ending
30 June 30, 1995, the following:

31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>1994-1995</u>
33 (01) Grants to Counties	
34 or Cities or Both	<u>\$5,000,000</u>

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36 SECTION 2. FUNDING TRANSFER. Immediately upon the effective date of

1 this Act, the Chief Fiscal Officer of the State shall transfer on his books
2 and those of the State Treasurer the sum of five million dollars (\$5,000,000)
3 from the General Revenue Allotment Reserve Fund to the Department of Human
4 Services, Children and Family Services Fund Account to provide funds for the
5 appropriation as authorized in Section 1 of this Act.

6
7 SECTION 3. AWARDING OF GRANTS - DETENTION FACILITIES. The Division of
8 Youth Services shall be responsible for awarding grants from the appropriation
9 authorized in Section 1 of this Act for the purpose of constructing,
10 equipping, renovating and/or use of electronic monitoring equipment for any
11 available facility to serve as a juvenile detention facility. However,
12 priority shall be given to projects where counties or cities or both contract
13 with one or more other counties or cities or both to provide regional
14 facilities and to counties or cities or both requiring expansion or renovation
15 of an existing detention facility. Grants shall not be used for operations of
16 such facilities and shall not exceed 100% of the cost of the construction or
17 renovation of the facility. *Notwithstanding the above provision, the Division*
18 *of Youth Services shall allow up to one hundred thousand dollars (\$100,000) of*
19 *the total amount appropriated in Section 1 of this Act to be used as one-year*
20 *operating grants, with new full service juvenile detention facilities being*
21 *eligible to receive up to a maximum of fifty thousand dollars (\$50,000) each*
22 *within the maximum amount authorized within this section and new seventy-two*
23 *(72) hour holdover juvenile detention facilities being eligible to receive up*
24 *to a maximum of twenty-five thousand dollars (\$25,000) each within the maximum*
25 *authorized within this Section. These operating grants may be awarded only to*
26 *a governmental subdivision in Union County and a governmental subdivision in*
27 *Drew County; provided that the governmental subdivisions receiving such a*
28 *grant shall have substantially completed a structure to house a juvenile*
29 *detention facility by August 1, 1994. The effective date of this provision*
30 *for operating grants will be effective for the period ending January 1, 1995.*

31 Be it further provided that the Division of Youth Services of the
32 Department of Human Services shall promulgate such rules and regulations as
33 may be necessary to administer this grant program and may require grant
34 applications for the funds provided herein to be made on such forms and in
35 such format as deemed appropriate by the Division.

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2 SECTION 4. APPROPRIATIONS - DEPARTMENT OF HUMAN SERVICES - DIRECTOR'S
 3 OFFICE. There is hereby appropriated to the Department of Human Services -
 4 Director's Office to be payable from the Department of Human Services Paying
 5 Account as designated by the Chief Fiscal Officer of the State, for Regional
 6 Assessment Centers Grants for the fiscal year ending June 30, 1995
 7 \$1,000,000.

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9 SECTION 5. AWARDING OF GRANTS - REGIONAL ASSESSMENT CENTERS. The
 10 Director's Office of the Department of Human Services shall be responsible for
 11 awarding grants from the appropriation authorized in Section 4 of this Act for
 12 the purpose of *constructing or operating* Regional Assessment Centers for
 13 juvenile offenders. The Director of the Department of Human Services shall
 14 promulgate such rules and regulations as may be necessary to administer this
 15 grant program and may require grant applications for the funds provided herein
 16 to be made on such forms and in such format as deemed appropriate by the
 17 Director.

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19 SECTION 6. FUNDING TRANSFER. Immediately upon the effective date of
 20 this Act, the Chief Fiscal Officer of the State shall transfer on his books
 21 and those of the State Treasurer the sum of one million dollars (\$1,000,000)
 22 from the General Revenue Allotment Reserve Fund to the Department of Human
 23 Services Administration Fund Account to provide funds for the appropriation as
 24 authorized in Section 4 of this Act.

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26 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 27 authorized by this Act shall be limited to the appropriation for such agency
 28 and funds made available by law for the support of such appropriations; and
 29 the restrictions of the State Purchasing Law, the General Accounting and
 30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 31 Procedures and Restrictions Act, or their successors, and other fiscal control
 32 laws of this State, where applicable, and regulations promulgated by the
 33 Department of Finance and Administration, as authorized by law, shall be
 34 strictly complied with in disbursement of said funds.

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

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10 SECTION 9. CODE. All provisions of this Act of a general and permanent
11 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
12 Code Revision Commission shall incorporate the same in the Code.

13

14 SECTION 10. SEVERABILITY. If any provision of this Act or the
15 application thereof to any person or circumstance is held invalid, such
16 invalidity shall not affect other provisions or applications of the Act which
17 can be given effect without the invalid provision or application, and to this
18 end the provisions of this Act are declared to be severable.

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

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23 SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by the
24 Seventy-Ninth General Assembly meeting in Second Extraordinary Session, that
25 the provisions of this Act are of critical importance to the state's public
26 peace and safety. Failure to provide facilities for housing serious offenders
27 poses a threat of additional serious crimes being committed against the
28 general population. Therefore, an emergency is hereby declared to exist, and
29 this Act being necessary for the immediate preservation of the public peace,
30 health, and safety shall be in full force and effect from and after its
31 passage and approval.

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/s/Russ

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APPROVED: 8-26-94

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