

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

As Engrossed: S4/1/97

## A Bill

ACT 1333 OF 1997  
HOUSE BILL 2277

5 By: Representatives Kidd, Madison, Whorton, Choate, Angel, Northcutt, Johnson, Vess, Simon, McGehee, Pappas, Miller, Newman,  
6 Lancaster, Molinaro, Wallis, Broadway, Allison, Dianne Hudson, Rorie, Teague, Ferguson, Cook, Jones, Wilkinson, Ammons, Horn,  
7 Schexnayder, French, Shoffner, and Keltner  
8  
9

### For An Act To Be Entitled

10  
11 "AN ACT TO PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES  
12 STATE INSTITUTIONAL SYSTEM BOARD SHALL HAVE COMPLETE AND  
13 EXCLUSIVE CONTROL OVER FACILITIES COMPRISING THE SYSTEM;  
14 AND FOR OTHER PURPOSES."  
15

### Subtitle

16  
17 "PROVIDE THAT THE DEPARTMENT OF HUMAN  
18 SERVICES STATE INSTITUTIONAL SYSTEM  
19 BOARD SHALL HAVE COMPLETE AND EXCLUSIVE  
20 CONTROL OVER FACILITIES COMPRISING THE  
21 SYSTEM."  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code 25-10-111(c) is amended to read as follows:

26 "(c) Although it is the intent of this act that the State Hospital  
27 Board, the Youth Services Board, and the Board of Developmental Disabilities  
28 Services shall each operate their institutional programs and services within  
29 the Department of Human Services with autonomy and independence as intended by  
30 the Arkansas Constitution, Amendment 33, the General Assembly recognizes that  
31 reasonable fiscal policies are necessary to assure that the various services  
32 of government are operated on a sound financial basis and that deficit  
33 spending is not implemented. In furtherance of that policy, the General  
34 Assembly determines that the Director of the Department of Human Services,  
35 with respect to the allocation of funds and the exercise of fiscal restraint  
36 over all divisions, offices, sections, units, programs, services, and

1 institutions within the Department of Human Services, shall have the ultimate  
 2 authority to allocate and limit the amount of funds to be expended in the  
 3 operation of each division, office, program, service, and institution within  
 4 the Department of Human Services as he deems necessary to comply with the  
 5 fiscal laws of this state, and that nothing herein shall be construed to limit  
 6 the ultimate authority of the Director of the Department of Human Services to  
 7 develop and operate the various programs in the state institutional system;  
 8 provided however all real property constituting the Department of Human  
 9 Services State Institutions Systems shall be under the control, including  
 10 capitol improvements thereon, of the Department of Human Services State  
 11 Institutional System Board and that Board may convey by sale or lease any real  
 12 property within the State Institution System."

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14 SECTION 2. Arkansas Code 25-10-401 is amended to read as follows:

15 "§ 25-10-401. Creation.

16 The state institutions of the Department of Human Services, known as the  
 17 State Hospital for the Mentally Ill at Little Rock, the long-term care  
 18 facility at Benton, the George W. Jackson Mental Health Center at Jonesboro,  
 19 ~~and~~ the youth services centers located at Alexander and North Little Rock, and  
 20 all other facilities owned and operated by the Department of Human Services  
 21 for youth services or mental health treatment are hereby consolidated to form  
 22 the Department of Human Services State Institutional System."

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24 SECTION 3. All provisions of this act of a general and permanent nature  
 25 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
 26 Revision Commission shall incorporate the same in the Code.

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28 SECTION 4. If any provision of this act or the application thereof to  
 29 any person or circumstance is held invalid, such invalidity shall not affect  
 30 other provisions or applications of the act which can be given effect without  
 31 the invalid provision or application, and to this end the provisions of this  
 32 act are declared to be severable.

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34 SECTION 5. All laws and parts of laws in conflict with this act are  
 35 hereby repealed.

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/s/Kidd et al

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APPROVED: 4-10-97