

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

1 State of Arkansas As Engrossed: H2/12/97 H2/14/97 H3/4/97 H3/21/97 H3/25/97 S4/4/97

2 81st General Assembly

A Bill

ACT 1358 OF 1997

3 Regular Session, 1997

HOUSE BILL 1316

4

5 By: Joint Budget Committee

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7

8

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR MISCELLANEOUS GRANTS
10 AND EXPENSES FOR THE DEPARTMENT OF FINANCE AND
11 ADMINISTRATION - DISBURSING OFFICER FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 1999; AND FOR OTHER PURPOSES."

13

14

Subtitle

15 "AN ACT FOR THE DEPARTMENT OF FINANCE
16 AND ADMINISTRATION - DISBURSING OFFICER
17 APPROPRIATION FOR THE 1997-99 BIENNIUM."

18

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

20

21 SECTION 1. APPROPRIATIONS - GRANTS AND EXPENSES. There is hereby
22 appropriated, to the Department of Finance and Administration - Disbursing
23 Officer, to be payable from the State General Services Fund Account, for
24 miscellaneous grants and expenses for the biennial period ending June 30,
25 1999, the following:

26

27 ITEM		28 FISCAL YEARS	
		1997-98	1998-99
29 (01) INTERSTATE PLANNING GRANTS	\$	90,000	\$ 90,000
30 (02) PUBLIC ADMINISTRATION CONSORTIUM		75,000	75,000
31 (03) NAT. CONF. ON UNIFORM STATE LAWS		24,000	25,000
32 (04) MUSEUM OF SCIENCE		50,000	50,000
33 (05) INTRASTATE PLANNING GRANTS		90,000	90,000
34 (06) PUBLIC DEFENDER CONTRACT		29,370	29,370
35 (07) CRIMINAL DETENTION COMMITTEE EXP		18,878	18,878
36 (08) AGRICULTURE MARKETING GRANTS		375,000	375,000

1	(09) PLANNING AND DEVELOPMENT GRANTS	<u>360,000</u>	<u>360,000</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,112,248</u>	<u>\$ 1,113,248</u>

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4 SECTION 2. APPROPRIATIONS - CHILDREN'S HOSPITAL. There is hereby
 5 appropriated, to the Department of Finance and Administration - Disbursing
 6 Officer, to be payable from the State General Services Fund Account, for
 7 miscellaneous grants to Children's Hospital for the biennial period ending
 8 June 30, 1999, the following:

9

10	ITEM	FISCAL YEARS	
11	NO.	1997-98	1998-99
12	(01) CHILDREN'S HOSPITAL PAYMENTS	\$ 700,000	\$ 700,000
13	(02) INTENSIVE CARE NURSERY	1,233,600	1,233,600
14	(03) REPRODUCTIVE HEALTH MONITOR GRANT	<u>200,000</u>	<u>200,000</u>
15	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,133,600</u>	<u>\$ 2,133,600</u>

16

17 SECTION 3. APPROPRIATIONS - EMERGENCY MEDICAL SERVICES. There is hereby
 18 appropriated, to the Department of Finance and Administration - Disbursing
 19 Officer, to be payable from the Indigent Patient's Fund for defraying the cost
 20 of medical services of indigent Arkansans for the biennial period ending June
 21 30, 1999, the following:

22

23	ITEM	FISCAL YEARS	
24	NO.	1997-98	1998-99
25	(01) CRITTENDEN COUNTY EMS	\$ 150,000	\$ 150,000
26	(02) INDIGENT PATIENT HOSPITALIZATION	0	0
27	(03) EMERGENCY MEDICAL SERVICES	<u>150,000</u>	<u>150,000</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 300,000</u>	<u>\$ 300,000</u>

29

30 SECTION 4. APPROPRIATIONS - ESCAPEES TRIAL. There is hereby
 31 appropriated, to the Department of Finance and Administration - Disbursing
 32 Officer, to be payable from the Trial Expense Assistance Fund, for making
 33 reimbursements to counties for costs incurred in felony trials that exceed
 34 limits and for all expenses incurred by counties in holding and bringing to
 35 trial persons charged with escape from the Department of Correction as

1 authorized by law for the biennial period ending June 30, 1999, the following:

3 ITEM	FISCAL YEARS	
4 NO.	1997-98	1998-99
5 (01) REFUNDS/REIMBURSEMENTS	<u>\$ 100,000</u>	<u>\$ 100,000</u>

6

7 SECTION 5. APPROPRIATIONS - SHERIFFS ASSOCIATION. There is hereby

8 appropriated, to the Department of Finance and Administration - Disbursing

9 Officer, to be payable from the Arkansas Counties Alcohol and Drug Abuse and

10 Crime Prevention Program Fund, for grants to the Arkansas Sheriffs Association

11 to be used for the establishment and operation of crime prevention and alcohol

12 and drug abuse programs for the biennial period ending June 30, 1999, the

13 following:

15 ITEM	FISCAL YEARS	
16 NO.	1997-98	1998-99
17 (01) PREVENTION/EDUCATION GRANTS/AIDS	<u>\$ 375,000</u>	<u>\$ 375,000</u>

18

19 SECTION 6. APPROPRIATIONS - BEAVER ERADICATION. There is hereby

20 appropriated, to the *Soil and Water Conservation Commission*, to be payable

21 from the State General Services Fund Account, for the *grants to the*

22 *conservation districts for beaver control programs within the districts* for

23 the biennial period ending June 30, 1999, the following:

25 ITEM	FISCAL YEARS	
26 NO.	1997-98	1998-99
27 (01) GRANTS FOR BEAVER CONTROL PROGRAMS		<u>\$</u>
28 <u>150,000</u> \$ <u>150,000</u>		

29

30 SECTION 7. APPROPRIATIONS - JUVENILE OFFENDERS TRANSPORTATION. There is

31 hereby appropriated, to the Department of Finance and Administration -

32 Disbursing Officer, to be payable from the State General Services Fund

33 Account, for grants/reimbursements to provide for transportation of juvenile

34 offenders to appropriate facilities for the biennial period ending June 30,

35 1999, the following:

1

2 ITEM	FISCAL YEARS	
3 NO.	1997-98	1998-99
4 (01) GRANTS/REIMBURSEMENTS	<u>\$ 250,000</u>	<u>\$ 250,000</u>

5

6 SECTION 8. APPROPRIATIONS - FIRE PROTECTION. There is hereby
7 appropriated, to the Department of Finance and Administration - Disbursing
8 Officer, to be payable from the Fire Protection Premium Tax Fund, for
9 additional funding of Arkansas fire departments as provided in Arkansas code
10 §26-57-614 and §§14-284-01 et. seq. for the biennial period ending June 30,
11 ~~1999, the following:~~

12

13 ITEM	FISCAL YEARS	
14 NO.	1997-98	1998-99
15 (01) ADDITIONAL FUNDING	<u>\$ 10,000,000</u>	<u>\$ 10,000,000</u>

16

17 SECTION 9. APPROPRIATIONS - QUALITY MANAGEMENT TRAINING. There is
18 hereby appropriated, to the Department of Finance and Administration -
19 Disbursing Officer, to be payable from the Quality Management Training Fund,
20 for the provision of such training as may be provided by law for the biennial
21 ~~period ending June 30, 1999, the following:~~

22

23 ITEM	FISCAL YEARS	
24 NO.	1997-98	1998-99
25 (01) TUITION/TRAINING	<u>\$ 500,000</u>	<u>\$ 500,000</u>

26

27 SECTION 10. APPROPRIATIONS - DISASTER ASSISTANCE. There is hereby
28 appropriated, to the Department of Finance and Administration - Disbursing
29 Officer, to be payable from the Disaster Assistance Fund, for provision of
30 disaster grants as authorized by the Disaster Relief Act of 1974 and for
31 complying with the Arkansas Emergency Services Act of 1973 (Arkansas Code
32 §§12-75-101 et. seq.) by the Office of Emergency Services for the biennial
33 period ending June 30, 1999, the following:

34

35 ITEM	FISCAL YEARS	
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1	NO.		1997-98	1998-99
2	(01) DISASTER ASSISTANCE GRANTS	\$	<u>5,500,000</u>	<u>5,500,000</u>

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4 SECTION 11. APPROPRIATIONS - INTERSTATE ORGANIZATIONS. There is hereby
 5 appropriated, to the Department of Finance and Administration - Disbursing
 6 Officer, to be payable from the State General Services Fund Account, for
 7 ~~disbursements for Arkansas' contribution to various interstate organizations~~
 8 for the biennial period ending June 30, 1999, the following:

9

10	ITEM		FISCAL YEARS	
11	NO.		1997-98	1998-99
12	(01) COUNCIL OF STATE GOVERNMENT	\$	74,900	\$ 75,602
13	(02) NATIONAL CONFERENCE OF STATE			
14	LEGISLATURES		90,634	94,061
15	(03) COUNCIL OF GOV POLICY ADVISORS		7,344	7,491
16	(04) NAT. ASSOC. OF ST. BUDGET			
17	OFFICERS		11,016	11,237
18	(05) SOUTHERN GROWTH POLICIES BOARD		24,339	24,339
19	(06) NATIONAL GOVERNORS' ASSOCIATION		64,872	66,170
20	(07) STATE AND LOCAL LEGAL CENTER		4,000	4,000
21	(08) SOUTHERN STATES ENERGY BOARD		34,207	34,207
22	(09) INTERSTATE MINING COMPACT		8,735	8,735
23	(10) CONFERENCE OF INSURANCE			
24	LEGISLATORS		2,000	2,000
25	(11) LOW LEVEL RADIOACTIVE WASTE			
26	COMPACT		25,000	25,000
27	(12) COMM ON INTERGOVERNMENTAL			
28	RELATIONS		6,500	6,500
29	(13) SOUTHERN GOVERNORS' ASSOCIATION		<u>7,522</u>	<u>7,522</u>
30	TOTAL AMOUNT APPROPRIATED	\$	<u>361,069</u>	<u>366,864</u>

31

32 SECTION 12. APPROPRIATIONS - VOCATIONAL-TECHNICAL TRAINING GRANTS.
 33 ~~There is hereby appropriated, to the Department of Finance and Administration~~
 34 - Disbursing Officer, to be payable from the State General Services Fund
 35 Account, for grants to the Association of General Contractors to provide

1 training programs at Vocational Technical Schools for the biennial period
 2 ending June 30, 1999, the following:

3

4 ITEM	FISCAL YEARS	
5 NO.	1997-98	1998-99
6 (01) AGA/VOC PROG. CERT EXPENSES	<u>\$ 10,000</u>	<u>\$ 10,000</u>

7

8 SECTION 13. SPECIAL LANGUAGE - PUBLIC DEFENDER. The appropriation
 9 provided in Item (06) of Section 1 herein shall be expended only for the
 10 purpose of contracting with the Public Defender of Pulaski County to provide
 11 defense for the mentally ill. The appropriations made by Items (01), (05) and
 12 (09), of Section 1 are to provide state assistance grants to: (A) each
 13 Planning and Development District organized under Ark. Code §§14-166-201 et
 14 seq., and recognized by the Governor and, (B) locally formed organizations
 15 organized under The Interlocal Cooperation Act (Ark. Code §§25-20-101 et
 16 seq.), or other Acts which permit interstate cooperation among local
 17 governments and intrastate cooperation. Such grants are to be made in equal
 18 payments within each category of organization.

19

20 SECTION 14. SPECIAL LANGUAGE - DISBURSING PROCEDURES. A lump sum
 21 monthly installment of 1/12 of the annual funded appropriation for the
 22 Arkansas Children's Hospital, as provided for in Section 2 of this Act, shall
 23 be provided to the Arkansas Children's Hospital by the Disbursing Officer for
 24 use in partial payment of the total annual cost of operations.

25

26 SECTION 15. SPECIAL LANGUAGE - DISBURSING PROCEDURES.
 27 DFA/GRANTS-INDIGENT PATIENTS DISTRIBUTION. From the funds derived from the
 28 pari-mutuel tax on additional days of dog racing as authorized by law and
 29 deposited in the Indigent Patient's Fund, as authorized by Arkansas Code
 30 §§23-111-505, the following shall be made available each fiscal year:

31 (a) \$500,000 for defraying the cost of hospitalization and medical
 32 services of indigent Arkansas patients in out-of-state hospitals and may
 33 include provisions for non-emergency transportation for medical purposes.
 34 Provided however, that such transportation shall not exceed a 200 mile radius
 35 from the patient's point of origin.

1 (b) Funds in excess of \$500,000 shall be allotted to the Crittenden
2 County EMS up to \$100,000 per fiscal year;

3 (c) Funds in excess of \$600,000 shall be allocated to fund any
4 contract obligations over and above the total amount allowed in Section 3 Item
5 (2) to defray the cost of hospitalization and medical services of
6 indigent Arkansas patients in out-of-state hospitals, not to exceed
7 \$200,000 per fiscal year;

8 (d) If there are funds available after the distributions have been
9 made as specified in subsection (a), (b), and (c) above, the available
10 amount shall be used for the support and operation of the Emergency
11 Medical Services Programs of Cross, Lee, Mississippi, Poinsett, and St.
12 Francis counties, not to exceed \$150,000 per fiscal year; and additional
13 support for the Emergency Medical Services Program of Crittenden County, not
14 to exceed \$50,000 per fiscal year;

15 (e) Upon receipt of said monies as allowed in subsection (d), the
16 treasurer of each county shall deposit the same in a special account to be
17 known as the "County Emergency Medical Services Fund", to be
18 used for providing emergency medical services within those counties in
19 accordance with appropriations made therefore by the quorum court of the
20 appropriate county; and

21 (f) In the event there are funds remaining after the distributions have
22 been made as specified in subsections (a), (b), (c), and (d) herein, the
23 balance shall be carried forward to the next fiscal year to be used for the
24 same purposes.

25

26 SECTION 16. SPECIAL LANGUAGE - JUVENILE TRANSPORTATION. Funds
27 appropriated in Section 7 of this Act shall be used to provide
28 grants/reimbursements to counties and cities for transportation of juvenile
29 offenders to appropriate care or custody facilities or any other licensed
30 juvenile facility approved by the court or as may be provided by law, in those
31 counties which have juvenile detention facilities. Such grants/reimbursements
32 for juvenile transportation costs shall be made in accordance with procedures
33 and criteria developed and administered by the Office of Criminal Detention
34 Facilities Review Coordinator.

35

1 SECTION 17. SPECIAL LANGUAGE - SHERIFF'S ASSOCIATION. A lump sum
2 monthly installment of at least one-twelfth (1/12) of the annual appropriation
3 provided for in Section 5 of this Act, or so much thereof as may be made
4 available, shall be provided to the Arkansas Sheriffs Association to be used
5 exclusively for the establishment and operation of crime prevention and
6 alcohol and drug abuse programs.

7
8 SECTION 18. SPECIAL LANGUAGE. The annual assessed contribution payments
9 for the National Conference of State Legislatures (NCSL), appropriated in Item
10 (02) of Section 11, shall be paid on a quarterly basis subject to a quarterly
11 review by the Speaker of the House and the President Pro Tem regarding NCSL's
12 responsiveness to requests by the Arkansas General Assembly. If both the
13 Speaker of the House and President Pro Tem of the Senate favorably review the
14 performance of NCSL, and approve the quarterly payment, then the payment may
15 be released to NCSL.

16
17 SECTION 19. SPECIAL LANGUAGE. The Arkansas Soil and Water Conservation
18 Commission shall establish such rules as necessary to ensure that the
19 appropriation provided in Section 6 shall be utilized for the development and
20 implementation of a beaver control program for those districts wishing to
21 implement such a program.

22
23 SECTION 20. Of the funds appropriated in Section 1 of Act 413 of 1997,
24 five million dollars (\$5,000,000) per year shall be set aside and used solely
25 to provide for grants or loans to assist in the construction of natural gas
26 projects. The Economic Development of Arkansas Fund Commission shall
27 establish the rules and regulations for the distribution of funds for grants
28 and loans to assist in the construction of natural gas projects appropriated
29 in Act 413 of 1997 and as set aside by the provisions in this Act. The Joint
30 Energy Committee shall review the rules and regulations of the Commission and
31 shall review all proposals for the proposed natural gas projects grants and
32 loans. Provided however, if the distribution is a grant the public purpose
33 must be certified by the Chief Fiscal Officer of the State before funds are
34 disbursed.

35

1 SECTION 21. There is hereby appropriated, to the Department of Finance
2 and Administration-Disbursing Officer, to be payable from the General
3 Improvement Fund or its successor fund or fund accounts, for the purchase of
4 equipment for the City of Strong Fire Department, the sum of \$20,000.

5

6 SECTION 22. There is hereby appropriated, to the Department of Finance
7 and Administration-Disbursing Officer, to be payable from the General
8 Improvement Fund or its successor fund or fund accounts, for constructing and
9 equipping the City of Hughes Fire Department, the sum of \$50,000.

10

11 SECTION 23. There is hereby appropriated, to the Department of Finance
12 and Administration - Disbursing Officer, to be payable from the General
13 Improvement Fund or its successor fund or fund accounts, for the purchase of
14 equipment for the Stuttgart Fire Department, the sum of \$40,000.

15

16 SECTION 24. APPROPRIATIONS. There is hereby appropriated, to the
17 Department of Finance and Administration - Disbursing Officer, to be payable
18 from the General Improvement Fund or its successor fund or fund account, for
19 matching funds to be paid to the City of Conway for costs of a study to
20 determine the feasibility of constructing a highway bypass, the sum of
21 \$125,000.

22

23 SECTION 25. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
24 authorized by this Act shall be limited to the appropriation for such agency
25 and funds made available by law for the support of such appropriations; and
26 the restrictions of the State Purchasing Law, the General Accounting and
27 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
28 Procedures and Restrictions Act, or their successors, and other fiscal control
29 laws of this State, where applicable, and regulations promulgated by the
30 Department of Finance and Administration, as authorized by law, shall be
31 strictly complied with in disbursement of said funds.

32

33 SECTION 26. LEGISLATIVE INTENT. It is the intent of the General
34 Assembly that any funds disbursed under the authority of the appropriations
35 contained in this Act shall be in compliance with the stated reasons for which

1 this Act was adopted, as evidenced by the Agency Requests, Executive
2 Recommendations and Legislative Recommendations contained in the budget
3 manuals prepared by the Department of Finance and Administration, letters, or
4 summarized oral testimony in the official minutes of the Arkansas Legislative
5 Council or Joint Budget Committee which relate to its passage and adoption.

6

7 SECTION 27. CODE. All provisions of this Act of a general and
8 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
9 Arkansas Code Revision Commission shall incorporate the same in the Code.

10

11 SECTION 28. SEVERABILITY. If any provision of this Act or the
12 application thereof to any person or circumstance is held invalid, such
13 invalidity shall not affect other provisions or applications of the Act which
14 can be given effect without the invalid provision or application, and to this
15 end the provisions of this Act are declared to be severable.

16

17 SECTION 29. GENERAL REPEALER. All laws and parts of laws in conflict
18 with this Act are hereby repealed.

19

20 SECTION 30. EMERGENCY CLAUSE. It is hereby found and determined by the
21 Eighty-First General Assembly, that the Constitution of the State of Arkansas
22 prohibits the appropriation of funds for more than a two (2) year period; that
23 the effectiveness of this Act on July 1, 1997 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the Regular Session, the delay in the effective
26 date of this Act beyond July 1, 1997 could work irreparable harm upon the
27 proper administration and provision of essential governmental programs.
28 Therefore, an emergency is hereby declared to exist and this Act being
29 necessary for the immediate preservation of the public peace, health and
30 safety shall be in full force and effect from and after July 1, 1997.

31

/s/Rep. Thicksten

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APPROVED:4-17-97

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