

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

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

As Engrossed: H2/11/97

# A Bill

ACT 501 OF 1997  
HOUSE BILL 1522

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
10 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF HUMAN  
11 SERVICES; AND FOR OTHER PURPOSES."

### Subtitle

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13  
14 "AN ACT FOR THE DEPARTMENT OF HUMAN  
15 SERVICES REAPPROPRIATION."  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. REAPPROPRIATION - ADMINISTRATION. There is hereby  
20 appropriated, to the Department of Human Services - Administration, to be  
21 payable from the Department of Human Services Renovation Fund, for the  
22 Department of Human Services - Administration, the following:

23 (A) Effective July 1, 1997, the balance of the appropriation provided  
24 in Item (A) of Section 1 of Act 309 and Section 98 of Act 1198 of 1995, for  
25 construction, repairs, and equipment for various buildings operated by the  
26 Department of Human Services, in a sum not to exceed .....\$15,000,000.  
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28 SECTION 2. REAPPROPRIATION - YOUTH SERVICES. There is hereby  
29 appropriated, to the Department of Human Services - Division of Youth  
30 Services, to be payable from the General Improvement Fund or its successor  
31 fund or fund accounts, for the Department of Human Services - Division of  
32 Youth Services, the following:

33 (A) Effective July 1, 1997, the balance of the appropriation provided  
34 in Item (A) of Section 4 of Act 309 of 1995, for the construction,  
35 acquisition, renovation, and equipping a hard lock down serious offender  
36 facility, in a sum not to exceed .....\$15,339.

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(B) Effective July 1, 1997, the balance of the appropriation provided in Item (D) of Section 4 of Act 309 of 1995, for the constructing and equipping of various serious offender units, in a sum not to exceed .....\$25,599.

(C) Effective July 1, 1997, the balance of the appropriation provided in Item (A) of Section 3 of Act 973 of 1995, for the renovation of four cottages at the Alexander Youth Services Center, in a sum not to exceed ..... \$809,500.

(D) Effective July 1, 1997, the balance of the appropriation provided in Item (C) of Section 3 of Act 973 of 1995, for the construction of a vocational classroom building for the Central Arkansas Serious Offender Program, in a sum not to exceed ..... \$465,000.

(E) Effective July 1, 1997, the balance of the appropriation provided in Item (E) of Section 3 of Act 973 of 1995, for the renovation of the multi-purpose Commissary/Storage facility and cafeteria at the Alexander Youth Services Center, in a sum not to exceed ..... \$483,000.

(F) Effective July 1, 1997, the balance of the appropriation provided in Item (F) of Section 3 of Act 973 of 1995, for the purchase of equipment necessary for an electronic surveillance and security system for the Central Arkansas Serious Offender Program, the Alexander Youth Services Center, and the Central Arkansas Observation and Assessment Center, in a sum not to exceed \$350,000.

SECTION 3. REAPPROPRIATION - YOUTH SERVICES. There is hereby appropriated, to the Department of Human Services - Division of Youth Services, to be payable from the Children and Family Services Fund Account, for the Department of Human Services - Division of Youth Services, the following:

(A) Effective July 1, 1997, the balance of the appropriation provided

1 in Item (A) of Section 5 of Act 309 of 1995, as transferred by the Department  
 2 of Correction, under the authority of Section 108 of Act 1239 of 1993, for  
 3 construction of various serious offender units, in a sum not to exceed .....  
 4 .....\$206,857.

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 6 SECTION 4. 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 5. 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 6. 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 7. 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 8. GENERAL REPEALER. All laws and parts of laws in conflict  
12 with this Act are hereby repealed.

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14 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
15 Eighty-First 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 or 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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/s/Rep. Thicksten

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APPROVED:3-13-97

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