

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 195 of 2001
HOUSE BILL 1487

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

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

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES REAPPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. REAPPROPRIATION – YOUTH SERVICES – SURVEILLANCE AND SECURITY.

21 There is hereby appropriated, to the Department of Human Services - Division
22 of Youth Services, to be payable from the General Improvement Fund or its
23 successor fund or fund accounts, for the Department of Human Services -
24 Division of Youth Services, the following:
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26 (A) Effective July 1, 2001, the balance of the appropriation provided in
27 Item (D) of Section 2 of Act 93 of 1999, for the purchase of equipment
28 necessary for an electronic surveillance and security system for the Central
29 Arkansas Serious Offender Program, the Alexander Youth Services Center, and
30 the Central Arkansas Observation and Assessment Center, in a sum not to exceed
31 \$350,000.
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SECTION 2. REAPPROPRIATION – MENTAL HEALTH – BENTON SERVICES CENTER. There

33 is hereby appropriated, to the Department of Human Services - Division of
34 Mental Health Services, to be payable from the Mental Health Services Fund
35 Account, for the Department of Human Services - Division of Mental Health
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1 Services, the following:

2 (A) Effective July 1, 2001, the balance of the appropriation provided in
3 Section 5 of Act 957 of 1999, for capital costs for the Division of Mental
4 Health Services' Partnership Programs at the Benton Services Center with the
5 University of Arkansas for Medical Sciences and Pathfinders, Inc., in a sum
6 not to exceed \$964,058.

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8 SECTION 3. REAPPROPRIATION – DEVELOPMENTAL DISABILITIES. There is hereby
9 appropriated, to the Department of Human Services - Division of Developmental
10 Disabilities Services, to be payable from the General Improvement Fund or its
11 successor fund or fund accounts, for the Department of Human Services -
12 Division of Developmental Disabilities Services, the following:

13 (A) Effective July 1, 2001, the balance of the appropriation provided in
14 Item (A) of Section 1 of Act 1383 of 1999, for construction, major
15 maintenance, renovation, and repair of various DHS-Division of Developmental
16 Disabilities Services' Human Development Centers, in a sum not to exceed
17 \$1,849,478.

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19 SECTION 4. REAPPROPRIATION – MENTAL HEALTH. There is hereby appropriated,
20 to the Department of Human Services - Division of Mental Health Services, to
21 be payable from the General Improvement Fund or its successor fund or fund
22 accounts, for the Department of Human Services - Division of Mental Health
23 Services, the following:

24 (A) Effective July 1, 2001, the balance of the appropriation provided in
25 Item (A) of Section 3 of Act 1383 of 1999, for construction, major
26 maintenance, renovation, and repair of various DHS-Mental Health Services
27 facilities, in a sum not to exceed \$1,450,331.

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29 SECTION 5. REAPPROPRIATION – YOUTH SERVICES - FACILITIES. There is hereby
30 appropriated, to the Department of Human Services - Division of Youth
31 Services, to be payable from the General Improvement Fund or its successor
32 fund or fund accounts, for the Department of Human Services - Division of
33 Youth Services, the following:

34 (A) Effective July 1, 2001, the balance of the appropriation provided in
35 Item (A) of Section 4 of Act 1383 of 1999, for construction, acquisition of
36 property, equipment, or systems to improve security or operations of

1 facilities, major maintenance, renovation and repair of various DHS-Youth
2 Services Facilities, and for expansion of the Juvenile Upward Mobility Program
3 (JUMP) Serious Offender Program facility, in a sum not to exceed ..\$1,762,686.
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5 SECTION 6. REAPPROPRIATION – YOUTH SERVICES – FACILITIES NEEDS. There is
6 hereby appropriated, to the Department of Human Services - Division of Youth
7 Services, to be payable from the Department of Human Services - Youth Services
8 Facilities Needs Fund, for the Department of Human Services - Division of
9 Youth Services, the following:

10 (A) Effective July 1, 2001, the balance of the appropriation provided in
11 Item (A) of Section 2 of Act 1402 of 1999, for purchase of needed equipment,
12 acquisition of facilities, repairs or renovations, contracting with providers
13 for services, construction expenses, or other facility operations costs, in a
14 sum not to exceed \$3,993,898.
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16 SECTION 7. REAPPROPRIATION – YOUTH SERVICES - FEDERAL. There is hereby
17 appropriated, to the Department of Human Services - Division of Youth
18 Services, to be payable from the federal funds as designated by the Chief
19 Fiscal Officer of the State, for the Department of Human Services - Division
20 of Youth Services, the following:

21 (A) Effective July 1, 2001, the balance of the appropriation provided in
22 Section 132 of Act 1537 of 1999, for contract services and construction
23 activities of the Division of Youth Services through the Violent Offender
24 Incarceration and Truth in Sentencing program, in a sum not to exceed
25 \$2,108,000.
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27 SECTION 8. REAPPROPRIATION – YOUTH SERVICES – SERIOUS OFFENDER. There is
28 hereby appropriated, to the Department of Human Services - Division of Youth
29 Services, to be payable from the Children and Family Services Fund Account,
30 for the Department of Human Services - Division of Youth Services, the
31 following:

32 (A) Effective July 1, 2001, the balance of the appropriation provided in
33 Item (A) of Section 3 of Act 93 of 1999, as transferred by the Department of
34 Correction, under the authority of Section 108 of Act 1239 of 1993, for
35 construction of various serious offender units, in a sum not to exceed
36 \$14,559.

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SECTION 9. REAPPROPRIATION - YOUTH SERVICES - HARD LOCK DOWN FACILITY.

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

(A) Effective July 1, 2001, the balance of the appropriation provided in Item (A) of Section 2 of Act 93 of 1999, for the construction, acquisition, renovation, and equipping a hard lock down serious offender facility, in a sum not to exceed \$8,057.

SECTION 10. REAPPROPRIATION - MEDICAL SERVICES. There is hereby appropriated, to the Department of Human Services - Division of Medical Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for the Department of Human Services - Division of Medical Services, the following:

(A) Effective July 1, 2001, the balance of the appropriation provided in Item (A) of Section 2 of Act 1383 of 1999, for information technology enhancement development costs which include the cost of the Medicaid Fraud and Abuse Detection System and Medicaid Management Information System enhancements, in a sum not to exceed \$6,883,909.

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

(B) The restrictions of any applicable provisions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue

1 Stabilization Law and any other applicable fiscal control laws of this State
2 and regulations promulgated by the Department of Finance and Administration,
3 as authorized by law, shall be strictly complied with in disbursement of any
4 funds provided by this act unless specifically provided otherwise by law.

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6 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General Assembly
7 that any funds disbursed under the authority of the appropriations contained
8 in this act shall be in compliance with the stated reasons for which this act
9 was adopted, as evidenced by the Agency Requests, Executive Recommendations
10 and Legislative Recommendations contained in the budget manuals prepared by
11 the Department of Finance and Administration, letters, or summarized oral
12 testimony in the official minutes of the Arkansas Legislative Council or Joint
13 Budget Committee which relate to its passage and adoption.

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15 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General
16 Assembly, that the Constitution of the State of Arkansas prohibits the
17 appropriation of funds for more than a two (2) year period; that previous
18 General Assemblies have provided appropriations for the projects provided or
19 enumerated in this act; that certain appropriations will expire before the
20 adjournment of the General Assembly; and that if such appropriations expire,
21 the projects and programs authorized herein will cease thereby depriving the
22 citizens of the State of the benefits to be derived from such projects.
23 Therefore, an emergency is hereby declared to exist and this Act being
24 necessary for the immediate preservation of the public peace, health and
25 safety shall be in full force and effect from and after the date of its
26 passage and approval.

27 If the bill is neither approved nor vetoed by the Governor, it shall become
28 effective on the expiration of the period of time during which the Governor
29 may veto the bill. If the bill is vetoed by the Governor and the veto is
30 overridden, it shall become effective on the date the last house overrides the
31 veto.

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34 APPROVED: 2/9/2001