

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 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 80 of 2003
HOUSE BILL 1175

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
11 HUMAN SERVICES; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN
16 SERVICES REAPPROPRIATION.
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. REAPPROPRIATION - AGING AND ADULT SERVICES - GENERAL
22 IMPROVEMENT FUND. There is hereby appropriated, to the Department of Human
23 Services - Division of Aging and Adult Services, to be payable from the
24 General Improvement Fund or its successor fund or fund accounts, for the
25 Department of Human Services - Division of Aging and Adult Services, the
26 following:

27 (A) Effective July 1, 2003, the balance of the appropriation provided in
28 Item (A) of Section 1 of Act 1074 of 2001, for constructing and equipping a
29 Senior Care Facility in the City of Tuckerman, in a sum not to exceed
30\$66,258.

31 (B) Effective July 1, 2003, the balance of the appropriation provided in
32 Item (A) of Section 2 of Act 1074 of 2001, for renovating, constructing and
33 equipping the Senior Citizen Center in Newark, in a sum not to exceed
34\$61,651.

35 (C) Effective July 1, 2003, the balance of the appropriation provided in
36 Item (A) of Section 3 of Act 1074 of 2001, for renovation of the Senior



1 Citizen Center in Newport, in a sum not to exceed\$61,651.
 2 (D) Effective July 1, 2003, the balance of the appropriation provided in
 3 Item (A) of Section 1 of Act 886 of 2001, for a grant to the City of DeQueen
 4 to purchase the Hotel Dee Swift for use of part of the facility by the Senior
 5 Citizen Center at a lease rate of \$1.00 per year, in a sum not to exceed
 6\$52,844.
 7

8 SECTION 2. REAPPROPRIATION - YOUTH SERVICES - GENERAL IMPROVEMENT FUND.

9 There is hereby appropriated, to the Department of Human Services - Division
 10 of Youth 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 Youth Services, the following:

13 (A) Effective July 1, 2003, the balance of the appropriation provided in
 14 Item (A) of Section 5 of Act 195 of 2001, for construction, acquisition of
 15 property, equipment, or systems to improve security or operations of
 16 facilities, major maintenance, renovation and repair of various DHS-Youth
 17 Services Facilities, and for expansion of the Juvenile Upward Mobility
 18 Program (JUMP) Serious Offender Program facility, in a sum not to exceed
 19\$97,107.

20 (B) Effective July 1, 2003, the balance of the appropriation provided in
 21 Item (A) of Section 9 of Act 195 of 2001, for the construction, acquisition,
 22 renovation, and equipping a hard lock down serious offender facility, in a
 23 sum not to exceed\$8,057.
 24

25 SECTION 3. REAPPROPRIATION - DEVELOPMENTAL DISABILITIES - GENERAL

26 IMPROVEMENT FUND. There is hereby appropriated, to the Department of Human
 27 Services - Division of Developmental Disabilities Services, to be payable
 28 from the General Improvement Fund or its successor fund or fund accounts, for
 29 the Department of Human Services - Division of Developmental Disabilities
 30 Services, the following:

31 (A) Effective July 1, 2003, the balance of the appropriation provided in
 32 Item (A) of Section 1 of Act 389 of 2001, for
 33 Maintenance/Construction/Renovation, in a sum not to exceed\$500,000.

34 (B) Effective July 1, 2003, the balance of the appropriation provided in
 35 Item (A) of Section 3 of Act 195 of 2001, for construction, major
 36 maintenance, renovation, and repair of various DHS-Division of Developmental

1 Disabilities Services' Human Development Centers, in a sum not to exceed
2\$217,707.
3

4 SECTION 4. REAPPROPRIATION - MENTAL HEALTH SERVICES - GENERAL IMPROVEMENT
5 FUND. There is hereby appropriated, to the Department of Human Services -
6 Division of Mental Health Services, to be payable from the General
7 Improvement Fund or its successor fund or fund accounts, for the Department
8 of Human Services - Division of Mental Health Services, the following:

9 (A) Effective July 1, 2003, the balance of the appropriation provided in
10 Item (A) of Section 2 of Act 389 of 2001, for
11 Maintenance/Construction/Renovation, in a sum not to exceed\$500,000.
12

13 SECTION 5. REAPPROPRIATION - YOUTH SERVICES - SERIOUS OFFENDER. There is
14 hereby appropriated, to the Department of Human Services - Division of Youth
15 Services, to be payable from the Children and Family Services Fund Account,
16 for the Department of Human Services - Division of Youth Services, the
17 following:

18 (A) Effective July 1, 2003, the balance of the appropriation provided in
19 Item (A) of Section 8 of Act 195 of 2001, as transferred by the Department of
20 Correction, under the authority of Section 108 of Act 1239 of 1993, for
21 construction of various serious offender units, in a sum not to exceed
22\$14,559.
23

24 SECTION 6. REAPPROPRIATION - MEDICAL SERVICES. There is hereby
25 appropriated, to the Department of Human Services - Division of Medical
26 Services, to be payable from the paying account as determined by the Chief
27 Fiscal Officer of the State, for the Department of Human Services - Division
28 of Medical Services, the following:

29 (A) Effective July 1, 2003, the balance of the appropriation provided in
30 Item (A) of Section 10 of Act 195 of 2001, for information technology
31 enhancement development costs which include the cost of the Medicaid Fraud
32 and Abuse Detection System and Medicaid Management Information System
33 enhancements, in a sum not to exceed\$6,883,909.
34

35 SECTION 7. REAPPROPRIATION - YOUTH SERVICES - FEDERAL. There is hereby
36 appropriated, to the Department of Human Services - Division of Youth

1 Services, to be payable from the federal funds as designated by the Chief
2 Fiscal Officer of the State, for the Department of Human Services - Division
3 of Youth Services, the following:

4 (A) Effective July 1, 2003, the balance of the appropriation provided in
5 Item (A) of Section 7 of Act 195 of 2001, for contract services and
6 construction activities of the Division of Youth Services through the Violent
7 Offender Incarceration and Truth in Sentencing program, in a sum not to
8 exceed\$2,108,000.

9
10 SECTION 8. REAPPROPRIATION - YOUTH SERVICES - FACILITIES NEEDS. There is
11 hereby appropriated, to the Department of Human Services - Division of Youth
12 Services, to be payable from the Department of Human Services - Youth
13 Services Facilities Needs Fund, for the Department of Human Services -
14 Division of Youth Services, the following:

15 (A) Effective July 1, 2003, the balance of the appropriation provided in
16 Item (A) of Section 6 of Act 195 of 2001, for purchase of needed equipment,
17 acquisition of facilities, repairs or renovations, contacting with providers
18 for services, construction expenses, or other facility operations costs, in a
19 sum not to exceed\$2,733,969.

20
21 SECTION 9. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
22 obligations otherwise incurred in relation to the project or projects
23 described herein in excess of the State Treasury funds actually available
24 therefor as provided by law. Provided, however, that institutions and
25 agencies listed herein shall have the authority to accept and use grants and
26 donations including Federal funds, and to use its unobligated cash income or
27 funds, or both available to it, for the purpose of supplementing the State
28 Treasury funds for financing the entire costs of the project or projects
29 enumerated herein. Provided further, that the appropriations and funds
30 otherwise provided by the General Assembly for Maintenance and General
31 Operations of the agency or institutions receiving appropriation herein shall
32 not be used for any of the purposes as appropriated in this act.

33 (B) The restrictions of any applicable provisions of the State Purchasing
34 Law, the General Accounting and Budgetary Procedures Law, the Revenue
35 Stabilization Law and any other applicable fiscal control laws of this State
36 and regulations promulgated by the Department of Finance and Administration,

1 as authorized by law, shall be strictly complied with in disbursement of any
2 funds provided by this act unless specifically provided otherwise by law.

3
4 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly
5 that any funds disbursed under the authority of the appropriations contained
6 in this act shall be in compliance with the stated reasons for which this act
7 was adopted, as evidenced by the Agency Requests, Executive Recommendations
8 and Legislative Recommendations contained in the budget manuals prepared by
9 the Department of Finance and Administration, letters, or summarized oral
10 testimony in the official minutes of the Arkansas Legislative Council or
11 Joint Budget Committee which relate to its passage and adoption.

12
13 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General
14 Assembly, that the Constitution of the State of Arkansas prohibits the
15 appropriation of funds for more than a two (2) year period; that previous
16 General Assemblies have provided appropriations for the projects provided or
17 enumerated in this act; that certain appropriations will expire before the
18 adjournment of the General Assembly; and that if such appropriations expire,
19 the projects and programs authorized herein will cease thereby depriving the
20 citizens of the State of the benefits to be derived from such projects.
21 Therefore, an emergency is hereby declared to exist and this Act being
22 necessary for the immediate preservation of the public peace, health and
23 safety shall be in full force and effect from and after the date of its
24 passage and approval. If the bill is neither approved nor vetoed by the
25 Governor, it shall become effective on the expiration of the period of time
26 during which the Governor may veto the bill. If the bill is vetoed by the
27 Governor and the veto is overridden, it shall become effective on the date
28 the last house overrides the veto.

29
30
31 APPROVED: 2/5/2003
32
33
34
35
36