

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.  
**Act 103 of the Regular Session**

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

# A Bill

HOUSE BILL 1270

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

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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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, 2005, the balance of the appropriation provided in  
28 Item (A) of Section 1 of Act 734 of 2003, for state aid to the Area Agency on  
29 Aging in Madison County, in a sum not to exceed .....\$12,138.  
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31 (B) Effective July 1, 2005, the balance of the appropriation provided in  
32 Item (B) of Section 1 of Act 734 of 2003, for state aid to the Area Agency on  
33 Aging in Newton County, in a sum not to exceed .....\$12,138.  
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35 (C) Effective July 1, 2005, the balance of the appropriation provided in



1 Section 1 of Act 741 of 2003, for state aid to the Area Agency on Aging in  
2 Searcy County, in a sum not to exceed .....\$12,138.

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4 SECTION 2. REAPPROPRIATION - ADMINISTRATIVE SERVICES - GENERAL IMPROVEMENT  
5 FUND. There is hereby appropriated, to the Department of Human Services -  
6 Division of Administrative 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 Administrative Services, the following:

9 (A) Effective July 1, 2005, the balance of the appropriation provided in  
10 Item (A) of Section 1 of Act 154 of 2003, for  
11 Maintenance/Construction/Equipping, in a sum not to exceed .....\$1,000,000.

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13 SECTION 3. REAPPROPRIATION - BEHAVIORAL HEALTH SERVICES - GENERAL  
14 IMPROVEMENT FUND. There is hereby appropriated, to the Department of Human  
15 Services - Division of Behavioral Health, to be payable from the General  
16 Improvement Fund or its successor fund or fund accounts, for the Department  
17 of Human Services - Division of Behavioral Health, the following:

18 (A) Effective July 1, 2005, the balance of the appropriation provided in  
19 Item (A) of Section 1 of Act 70 of 2003, for Common Ground Program Youth  
20 Violence Prevention Grants, in a sum not to exceed .....\$45,631.

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22 SECTION 4. REAPPROPRIATION - YOUTH SERVICES - GENERAL IMPROVEMENT FUND.  
23 There is hereby appropriated, to the Department of Human Services - Division  
24 of Youth Services, to be payable from the General Improvement Fund or its  
25 successor fund or fund accounts, for the Department of Human Services -  
26 Division of Youth Services, the following:

27 (A) Effective July 1, 2005, the balance of the appropriation provided in  
28 Item (A) of Section 2 of Act 80 of 2003, for construction, acquisition of  
29 property, equipment, or systems to improve security or operations of  
30 facilities, major maintenance, renovation and repair of various DHS-Youth  
31 Services Facilities, and for expansion of the Juvenile Upward Mobility  
32 Program (JUMP) Serious Offender Program facility, in a sum not to exceed  
33 .....\$5,473.

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35 SECTION 5. REAPPROPRIATION - YOUTH SERVICES - FEDERAL FUNDS. There is  
36 hereby 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, 2005, the balance of the appropriation provided in  
5 Item (A) of Section 7 of Act 80 of 2003, 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 .....\$156,653.  
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10 SECTION 6. REAPPROPRIATION - YOUTH SERVICES - FACILITIES NEEDS FUND. There  
11 is hereby appropriated, to the Department of Human Services - Division of  
12 Youth 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, 2005, the balance of the appropriation provided in  
16 Item (A) of Section 8 of Act 80 of 2003, for purchase of needed equipment,  
17 acquisition of facilities, repairs or renovations, contracting with providers  
18 for services, construction expenses, or other facility operations costs, in a  
19 sum not to exceed .....\$1,096,064.  
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21 SECTION 7. 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.

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4 SECTION 8. 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.

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13 SECTION 9. 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.

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32 APPROVED: 2/10/2005

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