

**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 138 of the Regular Session**

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

SENATE BILL 283

5 By: Joint Budget Committee
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For An Act To Be Entitled

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

Subtitle

AN ACT FOR THE DEPARTMENT OF HUMAN
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 - DIVISION OF ADMINISTRATIVE SERVICES - GENERAL
22 IMPROVEMENT. There is hereby appropriated, to the Department of Human
23 Services - Division of Administrative 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 Administrative Services, the
26 following:

27 (A) Effective July 1, 2009, the balance of the appropriation provided in
28 Item (A) of Section 1 of Act 761 of 2007, for various maintenance,
29 renovation, equipping, construction, acquisition, improvement, upgrade, and
30 repair projects for all state-owned real property and facilities department-
31 wide, in a sum not to exceed\$6,000,000.
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33 (B) Effective July 1, 2009, the balance of the appropriation provided in
34 Item (A) of Section 1 of Act 1737 of 2007, for assistance to various
35 community organizations, in a sum not to exceed\$23,027.



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SECTION 2. REAPPROPRIATION - DIVISION OF BEHAVIORAL HEALTH - GENERAL IMPROVEMENT. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Department of Human Services - Division of Behavioral Health, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 1 of Act 1065 of 2007, for expansion of available statewide mental health beds to serve individuals with mental illness in Arkansas, in a sum not to exceed\$595,706.

(B) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 1 of Act 1555 of 2007, for the research, training, development for mental health, and operating expenses of mental health centers, in a sum not to exceed\$16,429.

SECTION 3. REAPPROPRIATION - DIVISION OF YOUTH SERVICES - GENERAL IMPROVEMENT. 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, 2009, the balance of the appropriation provided in Item (A) of Section 1 of Act 1637 of 2007, for construction, renovation, acquisition, purchase of equipment, maintenance, and other operating expenses to replace or renovate the Arkansas Juvenile Assessment and Treatment Center, in a sum not to exceed\$15,000,000.

SECTION 4. REAPPROPRIATION - DIVISION OF YOUTH SERVICES - FACILITIES NEEDS FUND. There is hereby appropriated, to the Department of Human Services - Division of Youth Services, to be payable from the Department of Human Services - Youth Services Facilities Needs Fund, for the Department of Human Services - Division of Youth Services, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 5 of Act 445 of 2007, for purchase of needed equipment, acquisition of facilities, repairs or renovations, contracting with providers for services, construction expenses, or other facility operations costs, in a

1 sum not to exceed\$21,857.

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3 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
4 obligations otherwise incurred in relation to the project or projects
5 described herein in excess of the State Treasury funds actually available
6 therefor as provided by law. Provided, however, that institutions and
7 agencies listed herein shall have the authority to accept and use grants and
8 donations including Federal funds, and to use its unobligated cash income or
9 funds, or both available to it, for the purpose of supplementing the State
10 Treasury funds for financing the entire costs of the project or projects
11 enumerated herein. Provided further, that the appropriations and funds
12 otherwise provided by the General Assembly for Maintenance and General
13 Operations of the agency or institutions receiving appropriation herein shall
14 not be used for any of the purposes as appropriated in this act.

15 (B) The restrictions of any applicable provisions of the State Purchasing
16 Law, the General Accounting and Budgetary Procedures Law, the Revenue
17 Stabilization Law and any other applicable fiscal control laws of this State
18 and regulations promulgated by the Department of Finance and Administration,
19 as authorized by law, shall be strictly complied with in disbursement of any
20 funds provided by this act unless specifically provided otherwise by law.

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

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31 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
32 Assembly, that the Constitution of the State of Arkansas prohibits the
33 appropriation of funds for more than a one (1) year period; that the
34 effectiveness of this Act on July 1, 2009 is essential to the operation of
35 the agency for which the appropriations in this Act are provided, and that in
36 the event of an extension of the Regular Session, the delay in the effective

1 date of this Act beyond July 1, 2009 could work irreparable harm upon the
2 proper administration and provision of essential governmental programs.
3 Therefore, an emergency is hereby declared to exist and this Act being
4 necessary for the immediate preservation of the public peace, health and
5 safety shall be in full force and effect from and after July 1, 2009.

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7 **APPROVED: 2/12/2009**
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