

Act 728 of the 1989 Regular Session.

Act 728

HB1305

By: Joint Budget Committee

"AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR MISCELLANEOUS GRANTS AND EXPENSES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1991; AND FOR OTHER PURPOSES."

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

SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the State General Services Fund Account, for miscellaneous grants and expenses for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) INTERSTATE METRO PLANNING GRANTS	\$ 90,000	\$ 90,000
(02) INTRASTATE METRO PLANNING GRANTS	90,000	90,000
(03) PDD GRANTS	240,000	240,000
(04) RURAL COMMUNITY PROJECT GRANTS	300,000	300,000
(05) NATIONAL CONFERENCE ON UNIFORM LAWS	14,100	14,100
(06) PUBLIC DEFENDER CONTRACT SERVICES	20,000	20,000
(07) CRIMINAL DETENTION COMMISSION EXPENSES	11,647	11,647
(08) CRIMINAL DETENTION COMMITTEE EXPENSES	19,600	19,600
(09) AGRICULTURAL MARKETING GRANTS	375,000	375,000
(10) AR PUBLIC ADMIN CONSORTIUM	75,000	75,000
(11) CHILDREN'S HOSP PAYMENTS	0	506,126
(12) INTENSIVE CARE NURSERY	241,691	935,565
(13) REPRODUCTIVE HEALTH MONITORING GRANT	92,023	92,023
TOTAL AMOUNT APPROPRIATED	\$ 1,557,414	\$ 2,757,414

SECTION 2. The Fiscal Officer of the State shall administer the appropriation provided by Item (04) Section 1 of this Act, the same in accordance with laws of this State authorizing grants for approved community projects to unincorporated rural communities and small incorporated towns in this State, provided that no such improvement project shall be for more than four thousand dollars (\$4,000.00), and the funding thereof shall be provided on the basis of one-fourth (1/4) of the funds raised by the rural community, or small incorporated town; one-fourth (1/4) of the funds by an appropriation of the quorum court of the county; and one-half (1/2) thereof to be defrayed by the State. THE COMMUNITY OR TOWN MAY ALSO PAY THE COUNTY'S ONE-FOURTH (1/4) MATCH IN LIEU OF THE COUNTY DEFRAYING ONE-FOURTH (1/4) OF THE COST OF THE PROJECT. Of the monies appropriated in Item (04) of Section 1 hereof, the Chief Fiscal Officer of the State shall set aside and allocate the sum of eight thousand dollars (\$8,000.00) for each of the seventy-five (75) counties of the State, to be used for approved community projects in unincorporated rural communities and for approved community projects in small incorporated towns in this State over the biennium ending June 30, 1991, but shall make such funds available for community projects in said counties only upon application thereof as provided by law.

SECTION 3. RESTRICTIONS. The appropriation provided in Item (06) of Section 1 herein shall be expended only for the purpose of contracting with the Public Defender of Pulaski County to provide defense for the mentally ill. The appropriations made by Items (01), (02) and (03), of Section 1 are to provide state assistance grants to: (A) each Planning and Development District organized under Ark. Code 14-166-201 et seq., and recognized by the Governor and, (B) locally formed organizations organized under The Interlocal Cooperation Act (Ark. Code 25-20-101 et seq.), or other Acts which permit interstate cooperation among local governments and intrastate cooperation. Such grants are to be made in equal payments within each category of organization.

SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the Indigent Patient Hospitalization Fund, for defraying the cost of hospitalization and medical services of indigent Arkansas patients under contract with out-of-state hospitals for the biennial period ending June 30, 1991, the following:

ITEM	FISCAL YEARS	
NO.	1989-90	1990-91
(01) CRITTENDEN COUNTY E.M.S.	\$ 100,000	\$ 100,000
(02) INDIGENT PATIENT HOSPITALIZATION	700,000	700,000
TOTAL AMOUNT APPROPRIATED	\$ 800,000	\$ 800,000
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SECTION 5. From the funds derived from the pari-mutuel tax on additional days of dog racing as authorized by law and deposited in the Indigent Patient's Hospitalization Fund, as authorized by Arkansas Code 23-111-505, the following shall be made available each fiscal year:

- (a) \$500,000 for defraying the cost of hospitalization and medical services of indigent Arkansas patients in out-of-state hospitals;
- (b) Funds in excess of \$500,000 shall be allotted to the Crittenden County EMS up to \$100,000 per year; and
- (c) In the event there are funds remaining after the distributions have been made as specified in subsections (a) and (b) herein, the balance shall be first used to fully fund the appropriation for out-of-state hospitalization and any remainder shall be carried forward to the next fiscal year to be used for the same purposes.

SECTION 6. DISBURSING PROCEDURES. A lump sum monthly installment of 1/12 of the annual funded appropriation for the Arkansas Children's Hospital, as provided for in Section 1 of this Act, shall be provided to the Arkansas Children's Hospital by the Disbursing Officer for use in partial payment of the total annual cost of operations.

SECTION 7. APPROPRIATIONS. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the Trial Expenses Assistance Fund, for making reimbursements to counties for costs incurred in felony trials that exceed limits and for all expenses incurred by counties in holding and bringing to trial persons charged with escape from the Department of Correction as authorized by law for the biennial period ending June 30, 1991, the following:

ITEM	FISCAL YEARS	
NO.	1989-90	1990-91
(01) REIMBURSEMENT	\$ 100,000	\$ 100,000
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SECTION 8. Upon request by the Director of the Department of Human Services, the Chief Fiscal Officer of the State is authorized to instruct the Disbursing Officer for the Department of Finance and Administration to transfer to the Department of Human Services an amount not to exceed \$1.2 million from those funds appropriated for fiscal year 1991 found in Section 1, Item Numbers (11) and (12) of this Act. These funds would be used to match federal funds to maintain Medicaid in-patient hospital programs.

SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this Act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

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

SECTION 11. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989.

APPROVED: March 21, 1989
