

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

ACT 939 OF 1997  
SENATE BILL 679

4  
5 By: Senator Dowd  
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## For An Act To Be Entitled

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9 "AN ACT TO AUTHORIZE THE DIVISION OF CHILDREN AND FAMILY  
10 SERVICES OF THE DEPARTMENT OF HUMAN SERVICES TO ENTER INTO  
11 AGREEMENTS WITH PUBLIC AGENCIES OR PRIVATE NON-PROFIT  
12 ORGANIZATIONS OF ADJOINING STATES TO PROVIDE SERVICES FOR  
13 RESIDENTS OF ARKANSAS THAT ARE DEVELOPMENTALLY DISABLED;  
14 AND FOR OTHER PURPOSES"  
15

## Subtitle

16  
17 "TO PROVIDE SERVICES FOR RESIDENTS OF  
18 ARKANSAS THAT ARE DEVELOPMENTALLY  
19 DISABLED"  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. It is the purpose of this act to permit the Division of  
24 Children and Family Services of the Department of Human Services, to cooperate  
25 with public agencies or private non-profit organizations of adjoining states  
26 to provide services for residents of Arkansas that are in need of regular or  
27 therapeutic child care.  
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29 SECTION 2. Subject to the conditions and limitations contained in this  
30 act, the Division of Children and Family Services may enter into agreements  
31 with public agencies, private nonprofit organizations or combinations thereof  
32 from adjoining states for the purpose of preforming the responsibility to the  
33 residents of Arkansas that are in need of regular or therapeutic child care.  
34 This includes financial participation, using any funds that are at its  
35 disposal, to the extent that similar services would be performed within the  
36 state.

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2       SECTION 3. Every agreement or contract entered into in accordance with  
3 this act shall specify the following:

4       (a) Full name and addresses of all parties to the agreement;

5       (b) The precise organization, composition and nature of legal or  
6 administrative entity that will be providing services together with its powers  
7 and limitations and manner of acquiring, holding and disposing of real and  
8 personal property used in the joint or cooperative undertaking;

9       (c) A description of the joint or cooperative undertaking that  
10 specifies the duties and responsibilities of all parties to the agreement;

11       (d) The manner of financing the joint or cooperative undertaking and of  
12 establishing and maintaining a budget thereof, or in the case whereby one of  
13 the participants agrees to furnish specified services the financial  
14 arrangements therefor;

15       (e) The permissible method or methods to be employed in accomplishing  
16 the partial or complete termination of the agreement and for disposing of  
17 property upon such a partial or complete termination;

18       (f) Any other necessary and proper methods.

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20       SECTION 4. Every agreement made hereunder shall, prior to and as a  
21 condition precedent to its entry into force, may at the discretion of the  
22 Division of Children and Family Services, be submitted to the Attorney General  
23 who shall determine whether the agreement is in proper form and compatible  
24 with the laws of this state. The Attorney General shall approve any agreement  
25 submitted to him hereunder unless he shall find that it does not meet the  
26 conditions set forth herein and shall detail in writing addressed to the  
27 Division of Children and Family Services and the governing bodies concerned  
28 with the agreement the specific respects in which the proposed agreement fails  
29 to meet the requirements of law. Failure to disapprove an agreement submitted  
30 hereunder within twenty (20) days of its submission shall constitute approval  
31 thereof.

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33       SECTION 5. Every agreement or contract entered into pursuant to this  
34 act shall have the status of an interstate compact.

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36       SECTION 6. All provisions of this act of a general and permanent

1 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
2 Code Revision Commission shall incorporate the same in the Code.

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4 SECTION 7. If any provision of this act or the application thereof to  
5 any person or circumstance is held invalid, such invalidity shall not affect  
6 other provisions or applications of the act which can be given effect without  
7 the invalid provision or application, and to this end the provisions of this  
8 act are declared to be severable.

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10 SECTION 8. All laws and parts of laws in conflict with this act are  
11 hereby repealed.

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14 APPROVED:3-31-97

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