

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 396

5 By: Senator Laverty
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
9 HUMAN SERVICES - DIVISION OF AGING AND ADULT SERVICES
10 FOR HOSPICE PROVIDERS; AND FOR OTHER PURPOSES.
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Subtitle

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13 AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES
14 - DIVISION OF AGING AND ADULT SERVICES -
15 HOSPICE PROVIDERS GENERAL IMPROVEMENT
16 APPROPRIATION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. APPROPRIATION - HOSPICE PROVIDERS. There is hereby
23 appropriated, to the Department of Human Services - Division of Aging and
24 Adult Services, to be payable from the General Improvement Fund or its
25 successor fund or fund accounts, the following:

26 (A) for grants for hospice providers for construction, renovation,
27 personal services, operating, purchase of equipment, and major maintenance
28 expenses, in a sum not to exceed.....\$500,000.
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30 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

32 Notwithstanding any other rules, regulations or provision of law to the
33 contrary the appropriations authorized in this Act shall not be restricted by
34 requirements that may be applicable to other programs currently administered.
35 New rules and regulations may be adopted to carry out the intent of the
36 General Assembly regarding the appropriations authorized in this Act.



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

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

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

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31 SECTION 5. 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, 2011 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 legislative session, the delay in the

1 effective date of this Act beyond July 1, 2011 could work irreparable harm
2 upon the proper administration and provision of essential governmental
3 programs. Therefore, an emergency is hereby declared to exist and this Act
4 being necessary for the immediate preservation of the public peace, health
5 and safety shall be in full force and effect from and after July 1, 2011.

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8 **APPROVED: 03/21/2011**
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