

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**  
5  
6

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
9 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF HUMAN  
10 SERVICES; AND FOR OTHER PURPOSES."  
11

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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14 SECTION 1. REAPPROPRIATION - ADMINISTRATION. There is hereby  
15 appropriated, to the Department of Human Services - Administration, to be  
16 payable from the Department of Human Services Renovation Fund, for the  
17 Department of Human Services - Administration, the following:

18 (A) Effective July 1, 1991, the balance of the appropriation provided  
19 in Item (A) of Section 2 of Act 221 of the First Extraordinary Session of  
20 1989, for construction, repairs to and equipment for various buildings  
21 operated by the Department of Human Services and for paying disallowances by  
22 the federal government, in a sum not to exceed .....\$3,859,647.  
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24 SECTION 2. REAPPROPRIATION - DEVELOPMENTAL DISABILITIES. There is  
25 hereby appropriated, to the Department of Human Services - Division of  
26 Developmental Disabilities Services, to be payable from cash funds as defined  
27 by Arkansas Code 19-4-801 of the Department of Human Services - Division of  
28 Developmental Disabilities Services, for the Department of Human Services -  
29 Division of Developmental Disabilities Services, the following:

30 (A) Effective July 1, 1991, the balance of the appropriation provided  
31 in Item (A) of Section 1 of Act 221 of the First Extraordinary Session of  
32 1989, for construction and capital outlay, in a sum not to exceed. ..\$32,569.  
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34 SECTION 3. REAPPROPRIATION - DEVELOPMENTAL DISABILITIES. There is  
35 hereby appropriated, to the Department of Human Services - Division of

1 Developmental Disabilities Services, to be payable from the General  
 2 Improvement Fund, or its successor fund or fund accounts, for the Department  
 3 of Human Services - Division of Developmental Disabilities Services, the  
 4 following:

5       (A) Effective July 1, 1991, the balance of the appropriation provided  
 6 in Item (A) of Section 4 of Act 221 of the First Extraordinary Session of  
 7 1989, for equipment, major maintenance, renovation and repairs, in a sum not  
 8 to exceed ..... \$22,702.

9       (B) Effective July 1, 1991, the balance of the appropriation provided  
 10 in Item (A) of Section 2 of Act 149 of the First Extraordinary Session of  
 11 1989, for equipment, major maintenance, renovations and repairs for fire  
 12 safety at Alexander, Arkadelphia, and Booneville institutions, in a sum not to  
 13 exceed ..... \$121,000.

14       (C) Effective July 1, 1991, the balance of the appropriation provided  
 15 in Item (B) of Section 2 of Act 149 of the First Extraordinary Session of  
 16 1989, for major maintenance and renovations at Human Development Centers, in a  
 17 sum not to exceed ..... \$188,000.

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19       SECTION 4. REAPPROPRIATION - REHABILITATION SERVICES - HOT SPRINGS  
 20 CENTER. There is hereby appropriated, to the Department of Human Services -  
 21 Division of Rehabilitation Services, to be payable from the General  
 22 Improvement Fund, or its successor fund or fund accounts, for the Department  
 23 of Human Services - Division of Rehabilitation Services - Hot Springs Center,  
 24 the following:

25       (A) Effective July 1, 1991, the balance of the appropriation provided  
 26 in Item (A) of Section 3 of Act 149 of the First Extraordinary Session of  
 27 1989, for major maintenance, renovation and repair, in a sum not to exceed  
 28 . ..... \$150,000.

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30       SECTION 5. REAPPROPRIATION - MENTAL HEALTH SERVICES. There is hereby  
 31 appropriated, to the Department of Human Services - Division of Mental Health  
 32 Services, to be payable from the General Improvement Fund, or its successor  
 33 fund or fund accounts, for the Department of Human Services - Division of  
 34 Mental Health Services, the following:

35       (A) Effective July 1, 1991, the balance of the appropriation provided

1 in Item (B) of Section 1 of Act 149 of the First Extraordinary Session of  
 2 1989, for major maintenance, renovations or repair of patient units at the  
 3 Arkansas State Hospital, in a sum not to exceed ..... \$350,000.

4 (B) Effective July 1, 1991, the balance of the appropriation provided  
 5 in Item (A) of Section 1 of Act 90 of the Third Extraordinary Session of 1989,  
 6 for replacement of Rogers Hall; to provide defendant evaluations; and for the  
 7 provision of court ordered training and certification costs pursuant to  
 8 Baldrige v. Clinton, in a sum not to exceed ..... \$6,541,948.

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10 SECTION 6. REAPPROPRIATION - ADMINISTRATION. There is hereby  
 11 appropriated, to the Department of Human Services - Administration, to be  
 12 payable from the General Improvement Fund, or its successor fund or fund  
 13 accounts, for the Department of Human Services - Administration, the  
 14 following:

15 (A) Effective July 1, 1991, the balance of the appropriation provided  
 16 in Item (A) of Section 4 of Act 149 of the First Extraordinary Session of  
 17 1989, for asbestos removal at various institutional facilities, in a sum not  
 18 to exceed. .... \$500,000.

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20 SECTION 7. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
 21 obligations otherwise incurred in relation to the project or projects  
 22 described herein in excess of the State Treasury funds actually available  
 23 therefor as provided by law. Provided, however, that institutions and  
 24 agencies listed herein shall have the authority to accept and use grants and  
 25 donations including Federal funds, and to use its unobligated cash income or  
 26 funds, or both available to it, for the purpose of supplementing the State  
 27 Treasury funds for financing the entire costs of the project or projects  
 28 enumerated herein. Provided further, that the appropriations and funds  
 29 otherwise provided by the General Assembly for Maintenance and General  
 30 Operations of the agency or institutions receiving appropriation herein shall  
 31 not be used for any of the purposes as appropriated in this Act.

32 (B) Any restrictions contained in the Acts enumerated in the  
 33 reapportionment sections of this Act, the restrictions of any applicable  
 34 provisions of the State Purchasing Law, the General Accounting and Budgetary  
 35 Procedures Law, the Revenue Stabilization Law and any other applicable fiscal

1 control laws of this State and regulations promulgated by the Department of  
2 Finance and Administration, as authorized by law, shall be strictly complied  
3 with in disbursement of any funds provided by this Act unless specifically  
4 provided otherwise by law.

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6 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General  
7 Assembly that any funds disbursed under the authority of the appropriations  
8 contained in this Act shall be in compliance with the stated reasons for which  
9 this Act was adopted, as evidenced by the Agency Requests, Executive  
10 Recommendations and Legislative Recommendations contained in the budget  
11 manuals prepared by the Department of Finance and Administration, letters, or  
12 summarized oral testimony in the official minutes of the Arkansas Legislative  
13 Council or Joint Budget Committee which relate to its passage and adoption.

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15 SECTION 9. CODE. All provisions of this Act of a general and permanent  
16 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
17 Code Revision Commission shall incorporate the same in the Code.

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19 SECTION 10. SEVERABILITY. If any provision of this Act or the  
20 application thereof to any person or circumstance is held invalid, such  
21 invalidity shall not affect other provisions or applications of the Act which  
22 can be given effect without the invalid provision or application, and to this  
23 end the provisions of this Act are declared to be severable.

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25 SECTION 11. GENERAL REPEALER. All laws and parts of laws in conflict  
26 with this Act are hereby repealed.

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28 SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by the  
29 Seventy-Eighth General Assembly, that the Constitution of the State of  
30 Arkansas prohibits the appropriation of funds for more than a two (2) year  
31 period; that previous General Assemblies have provided appropriations for the  
32 projects provided enumerated in this act; that certain appropriations will  
33 expire before the adjournment of the General Assembly; and that if such  
34 appropriations expire, the projects and programs authorized herein will cease  
35 thereby depriving the citizens of the State of the benefits to be derived from

1 such projects. Therefore, an emergency is hereby declared to exist and this  
2 Act being necessary for the immediate preservation of the public peace, health  
3 and safety shall be in full force and effect from and after the date of its  
4 passage and approval.

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