

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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For An Act To Be Entitled

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"AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL

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IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF HUMAN

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SERVICES; AND FOR OTHER PURPOSES."

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Subtitle

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"AN ACT FOR THE DEPARTMENT OF HUMAN

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SERVICES REAPPROPRIATION."

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

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18 SECTION 1. REAPPROPRIATION - ADMINISTRATION. There is hereby
19 appropriated, to the Department of Human Services - Administration, to be
20 payable from the Department of Human Services Renovation Fund, for the
21 Department of Human Services - Administration, the following:

22 (A) Effective July 1, 1995, the balance of the appropriation provided
23 in Item (A) of Section 1 of Act 628 of 1993, for construction, repairs, and
24 equipment for various buildings operated by the Department of Human Services,
25 in a sum not to exceed \$5,000,000.

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27 SECTION 2. REAPPROPRIATION - DEVELOPMENTAL DISABILITIES SERVICES.
28 There is hereby appropriated, to the Department of Human Services - Division
29 of Developmental Disabilities Services, to be payable from cash funds as
30 defined by Arkansas Code 19-4-801, for the Department of Human Services -
31 Division of Developmental Disabilities Services, the following:

32 (A) Effective July 1, 1995, the balance of the appropriation provided
33 in Item (A) of Section 2 of Act 628 of 1993, for construction and capital
34 outlay, in a sum not to exceed \$16,055.

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1 SECTION 3. REAPPROPRIATION - MENTAL HEALTH SERVICES. There is hereby
2 appropriated, to the Department of Human Services - Division of Mental Health
3 Services, to be payable from the General Improvement Fund or its successor
4 fund or fund accounts, for the Department of Human Services - Division of
5 Mental Health Services, the following:

6 (A) Effective July 1, 1995, the balance of the appropriation provided
7 in Item (F) of Section 3 of Act 889 of 1993, for the renovation and repair of
8 the Administration Building roof at the Benton Services Center, in a sum not
9 to exceed \$30,000.

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11 SECTION 4. REAPPROPRIATION - YOUTH SERVICES. There is hereby
12 appropriated, to the Department of Human Services - Division of Youth
13 Services, to be payable from the General Improvement Fund or its successor
14 fund or fund accounts, for the Department of Human Services - Division of
15 Youth Services, the following:

16 (A) Effective July 1, 1995, the balance of the appropriation provided
17 in Item (A) of Section 3 of Act 22 of the 2nd Extraordinary Session of the
18 79th General Assembly, for the construction, acquisition, renovation and
19 equipping a hard lock down serious offender facility, in a sum not to exceed
20\$1,300,000

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23 (B) Effective July 1, 1995, the balance of the appropriation provided
24 in Item (B) of Section 1 of Act 889 of 1993, for the renovation and equipping
25 of four cottages at the Alexander Youth Services Center, in a sum not to
26 exceed \$60,000.

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28 (C) Effective July 1, 1995, the balance of the appropriation provided
29 in Item (C) of Section 1 of Act 889 of 1993, for the renovation and
30 conversion of the Intensive Treatment Unit into the Intake or Independent
31 Living Unit, in a sum not to exceed \$25,000.

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33 (D) Effective July 1, 1995, the balance of the appropriation provided
34 in Item (E) of Section 1 of Act 889 of 1993, for the constructing and
35 equipping of various serious offender units, in a sum not to exceed... \$30,599.

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SECTION 5. REAPPROPRIATION - YOUTH SERVICES. There is hereby appropriated, to the Department of Human Services - Division of Youth Services to be payable from the Children and Family Services Fund Account, for the Department of Human Services - Division of Youth Services, the following:

(A) Effective July 1, 1995, the balance of the appropriation provided, as transferred by the Department of Correction, under the authority of Section 108 of Act 1239 of 1993, for the construction of various serious offender units, in a sum not to exceed \$2,214,606.

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

(B) Any restrictions contained in the Acts enumerated in the reappropriation sections of this Act, the restrictions of any applicable provisions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law and any other applicable fiscal control laws of this State and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of any funds provided by this Act unless specifically provided otherwise by law.

SECTION 7. 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

1 which this Act was adopted, as evidenced by the Agency Requests, Executive
2 Recommendations and Legislative Recommendations contained in the budget
3 manuals prepared by the Department of Finance and Administration, letters, or
4 summarized oral testimony in the official minutes of the Arkansas Legislative
5 Council or Joint Budget Committee which relate to its passage and adoption.

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7 SECTION 8. CODE. All provisions of this Act of a general and
8 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
9 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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11 SECTION 9. SEVERABILITY. If any provision of this Act or the
12 application thereof to any person or circumstance is held invalid, such
13 invalidity shall not affect other provisions or applications of the Act which
14 can be given effect without the invalid provision or application, and to this
15 end the provisions of this Act are declared to be severable.

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17 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict
18 with this Act are hereby repealed.

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20 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by
21 the Eightieth General Assembly, that the Constitution of the State of
22 Arkansas prohibits the appropriation of funds for more than a two (2) year
23 period; that previous General Assemblies have provided appropriations for the
24 projects provided enumerated in this act; that certain appropriations will
25 expire before the adjournment of the General Assembly; and that if such
26 appropriations expire, the projects and programs authorized herein will cease
27 thereby depriving the citizens of the State of the benefits to be derived
28 from such projects. Therefore, an emergency is hereby declared to exist and
29 this Act being necessary for the immediate preservation of the public peace,
30 health and safety shall be in full force and effect from and after the date
31 of its passage and approval.

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