

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: S4/1/97

A Bill

HOUSE BILL 2277

5 By: Representatives Kidd, Madison, Whorton, Choate, Angel, Northcutt, Johnson, Vess, Simon, McGehee, Pappas, Miller, Newman,
6 Lancaster, Molinaro, Wallis, Broadway, Allison, Dianne Hudson, Rorie, Teague, Ferguson, Cook, Jones, Wilkinson, Ammons, Horn,
7 Schexnayder, French, Shoffner, and Keltner
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For An Act To Be Entitled

11 "AN ACT TO PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES
12 STATE INSTITUTIONAL SYSTEM BOARD SHALL HAVE COMPLETE AND
13 EXCLUSIVE CONTROL OVER FACILITIES COMPRISING THE SYSTEM;
14 AND FOR OTHER PURPOSES."
15

Subtitle

17 "PROVIDE THAT THE DEPARTMENT OF HUMAN
18 SERVICES STATE INSTITUTIONAL SYSTEM
19 BOARD SHALL HAVE COMPLETE AND EXCLUSIVE
20 CONTROL OVER FACILITIES COMPRISING THE
21 SYSTEM."
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code 25-10-111(c) is amended to read as follows:

26 "(c) Although it is the intent of this act that the State Hospital
27 Board, the Youth Services Board, and the Board of Developmental Disabilities
28 Services shall each operate their institutional programs and services within
29 the Department of Human Services with autonomy and independence as intended by
30 the Arkansas Constitution, Amendment 33, the General Assembly recognizes that
31 reasonable fiscal policies are necessary to assure that the various services
32 of government are operated on a sound financial basis and that deficit
33 spending is not implemented. In furtherance of that policy, the General
34 Assembly determines that the Director of the Department of Human Services,
35 with respect to the allocation of funds and the exercise of fiscal restraint
36 over all divisions, offices, sections, units, programs, services, and

1 institutions within the Department of Human Services, shall have the ultimate
2 authority to allocate and limit the amount of funds to be expended in the
3 operation of each division, office, program, service, and institution within
4 the Department of Human Services as he deems necessary to comply with the
5 fiscal laws of this state, and that nothing herein shall be construed to limit
6 the ultimate authority of the Director of the Department of Human Services to
7 develop and operate the various programs in the state institutional system;
8 provided however all real property constituting the Department of Human
9 Services State Institutions Systems shall be under the control, including
10 capitol improvements thereon, of the Department of Human Services State
11 Institutional System Board and that Board may convey by sale or lease any real
12 property within the State Institution System."

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14 SECTION 2. Arkansas Code 25-10-401 is amended to read as follows:

15 "§ 25-10-401. Creation.

16 The state institutions of the Department of Human Services, known as the
17 State Hospital for the Mentally Ill at Little Rock, the long-term care
18 facility at Benton, the George W. Jackson Mental Health Center at Jonesboro,
19 ~~and~~ the youth services centers located at Alexander and North Little Rock, and
20 all other facilities owned and operated by the Department of Human Services
21 for youth services or mental health treatment are hereby consolidated to form
22 the Department of Human Services State Institutional System."

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24 SECTION 3. All provisions of this act of a general and permanent nature
25 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
26 Revision Commission shall incorporate the same in the Code.

27

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

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34 SECTION 5. All laws and parts of laws in conflict with this act are
35 hereby repealed.

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/s/Kidd et al