

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

# A Bill

SENATE BILL 177

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING  
10 EXPENSES FOR VARIOUS DIVISIONS; FOR CONSTRUCTION  
11 EXPENSES FOR MENTAL HEALTH SERVICES' PARTNERSHIP  
12 PROGRAMS; AND TO MAKE FUND TRANSFERS TO VARIOUS  
13 DIVISIONS OF THE DEPARTMENT OF HUMAN SERVICES WHICH  
14 SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS  
15 APPROPRIATED BY ACT 1360 OF 1997; AND FOR OTHER  
16 PURPOSES. "

## Subtitle

18 "AN ACT FOR THE DEPARTMENT OF HUMAN  
19 SERVICES SUPPLEMENTAL APPROPRIATION. "  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. APPROPRIATION - MEDICAL SERVICES - LONG TERM CARE COMPUTER  
26 NEEDS. There is hereby appropriated, to the Department of Human Services -  
27 Division of Medical Services, to be payable from the Department of Human  
28 Services Paying Account as designated by the Chief Fiscal Officer of the  
29 State, for operating expenses of the Department of Human Services - Division  
30 of Medical Services - Long Term Care Computer Needs which shall be  
31 supplemental and in addition to those funds appropriated in Section 43 of Act  
32 1360 of 1997, the following:  
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34 ITEM	FISCAL YEAR
35 NO.	1998-1999
36 (01) MAINT. & GEN. OPERATION	

\*LEB019\*

1	(A) OPER. EXPENSE	0
2	(B) CONF. & TRAVEL	0
3	(C) PROF. FEES	0
4	(D) CAP. OUTLAY	195,000
5	(E) DATA PROC.	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 195,000</u>

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 8 SECTION 2. APPROPRIATION - ADMINISTRATIVE SERVICES - OFFICE OF SYSTEMS &  
 9 TECHNOLOGY. There is hereby appropriated, to the Department of Human Services  
 10 - Administration - Administrative Services, to be payable from the Department  
 11 of Human Services Administration Fund Account, for operating expenses of the  
 12 Department of Human Services - Administration - Administrative Services -  
 13 Office of Systems & Technology which shall be supplemental and in addition to  
 14 those funds appropriated in Act 1360 of 1997, the following:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>1998-1999</u>
18	(01) MAINT. & GEN. OPERATION	
19	(A) OPER. EXPENSE	650,000
20	(B) CONF. & TRAVEL	0
21	(C) PROF. FEES	1,300,000
22	(D) CAP. OUTLAY	950,000
23	(E) DATA PROC.	<u>0</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,900,000</u>

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 26 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUNDING  
 28 TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal  
 29 Officer of the State shall transfer on his books and those of the State  
 30 Treasurer the sum of two million nine hundred thousand dollars (\$2,900,000)  
 31 from the General Revenue Allotment Reserve Fund to the Department of Human  
 32 Services Administration Fund Account to provide funds for the appropriation  
 33 provided for Administrative Services - Office of Systems & Technology.

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 35 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 36 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD.

1 Any balance remaining in the appropriation and funds made available for  
 2 Administrative Services - Office of Systems & Technology which remains on June  
 3 30, 1999 or June 30, 2000 or both may be carried forward into the next fiscal  
 4 year, there to be used for the same purpose.

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 6 SECTION 5. APPROPRIATION - MENTAL HEALTH SERVICES - PARTNERSHIP PROGRAMS -  
 7 BENTON SERVICES CENTER. There is hereby appropriated, to the Department of  
 8 Human Services - Division of Mental Health Services, to be payable from the  
 9 Mental Health Services Fund Account, for capital costs for the Division of  
 10 Mental Health Services' Partnership Programs at the Benton Services Center  
 11 with the University of Arkansas for Medical Sciences and Pathfinders, Inc.  
 12 which shall be supplemental and in addition to those funds appropriated in Act  
 13 1360 of 1997, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>1998-1999</u>
(01) CONSTRUCTION	<u>\$ 1,071,860</u>

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 19 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUNDING  
 21 TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal  
 22 Officer of the State shall transfer on his books and those of the State  
 23 Treasurer the sum of one million seventy-one thousand eight hundred sixty  
 24 dollars (\$1,071,860) from the General Revenue Allotment Reserve Fund to the  
 25 Mental Health Services Fund Account to provide funds for the Division of  
 26 Mental Health Services - Partnership Programs - Benton Services Center.

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 28 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 29 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. CARRY FORWARD.  
 30 Any balance remaining in the appropriation and funds made available for the  
 31 Division of Mental Health Services - Partnership Programs - Benton Services  
 32 Center which remains on June 30, 1999 or June 30, 2000 or both may be carried  
 33 forward into the next fiscal year, there to be used for the same purpose.

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 35 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUNDING

1 TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal  
 2 Officer of the State shall transfer on his books and those of the State  
 3 Treasurer the sum of eight million six hundred thousand dollars (\$8,600,000)  
 4 from the General Revenue Allotment Reserve Fund to the Department of Human  
 5 Services Grants Fund Account to provide funds for the adequate funding of the  
 6 Arkansas Medicaid program through the remainder of Fiscal Year 1998-99.

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 8 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
 9 this act shall be limited to the appropriation for such agency and funds made  
 10 available by law for the support of such appropriations; and the restrictions  
 11 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
 12 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
 13 Restrictions Act, or their successors, and other fiscal control laws of this  
 14 State, where applicable, and regulations promulgated by the Department of  
 15 Finance and Administration, as authorized by law, shall be strictly complied  
 16 with in disbursement of said funds.

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 18 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 19 that any funds disbursed under the authority of the appropriations contained  
 20 in this act shall be in compliance with the stated reasons for which this act  
 21 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 22 and Legislative Recommendations contained in the budget manuals prepared by  
 23 the Department of Finance and Administration, letters, or summarized oral  
 24 testimony in the official minutes of the Arkansas Legislative Council or Joint  
 25 Budget Committee which relate to its passage and adoption.

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 27 SECTION 11. CODE. All provisions of this Act of a general and permanent  
 28 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
 29 Code Revision Commission shall incorporate the same in the Code.

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 31 SECTION 12. SEVERABILITY. If any provision of this act or the application  
 32 thereof to any person or circumstance is held invalid, such invalidity shall  
 33 not affect other provisions or applications of the act which can be given  
 34 effect without the invalid provision or application, and to this end the  
 35 provisions of this act are declared to be severable.

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1 SECTION 13. GENERAL REPEALER. All laws and parts of laws in conflict with  
2 this act are hereby repealed.

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4 SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by the  
5 Eighty-second General Assembly, that funds provided by the General Assembly  
6 for the operations of the Department of Human Services are, due to unforeseen  
7 circumstances, insufficient for the Department of Human Services to continue  
8 to provide essential governmental services; that the provisions of this act  
9 will provide the necessary monies for the Department of Human Services to  
10 continue such services; and that a delay in the effective date of this Act  
11 could work irreparable harm upon the proper administration and provision of  
12 essential governmental programs. Therefore, an emergency is hereby declared to  
13 exist and this Act being necessary for the immediate preservation of the  
14 public peace, health and safety shall be in full force and effect from and  
15 after the date of its passage and approval.

16 If the bill is neither approved nor vetoed by the Governor, it shall become  
17 effective on the expiration of the period of time during which the Governor  
18 may veto the bill. If the bill is vetoed by the Governor and the veto is  
19 overridden, it shall become effective on the date the last house overrides the  
20 veto.

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