

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

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

As Engrossed: S4/6/99
A Bill

SENATE BILL 602

4
5 By: Joint Budget Committee
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8 **For An Act To Be Entitled**

9 "AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
10 HUMAN SERVICES FOR CONSTRUCTION, MAJOR MAINTENANCE,
11 RENOVATION, EQUIPMENT, REPAIRS, AND INFORMATION
12 TECHNOLOGY ENHANCEMENT; AND FOR OTHER PURPOSES."
13

14 **Subtitle**

15 "AN ACT FOR THE DEPARTMENT OF HUMAN
16 SERVICES CAPITAL IMPROVEMENT APPROPRIATION.
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. APPROPRIATIONS - DEVELOPMENTAL DISABILITIES SERVICES. There is
22 hereby appropriated, to the Department of Human Services - Division of
23 Developmental Disabilities Services, to be payable from the General
24 Improvement Fund or its successor fund or fund accounts, the following:

25 (A) For construction, major maintenance, renovation, and repair of various
26 DHS-Division of Developmental Disabilities Services' Human Development
27 Centers, the sum of\$2,500,000.
28

29 SECTION 2. APPROPRIATIONS - MEDICAL SERVICES. There is hereby
30 appropriated, to the Department of Human Services - Division of Medical
31 Services, to be payable from the Department of Human Services Paying Account
32 as designated by the Chief Fiscal Officer of the State, the following:

33 (A) For information technology enhancement development costs which include
34 the cost of the Medicaid Fraud and Abuse Detection System and Medicaid
35 Management Information System enhancements, the sum of\$6,883,909.
36

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1 SECTION 3. APPROPRIATIONS - 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, the following:

5 (A) For construction, major maintenance, renovation, and repair of various
6 DHS-Mental Health Services facilities, the sum of\$3,000,000.
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8 (B) For completion of Phase II of the Benton Services Center Skilled
9 Nursing Facility, the sum of\$9,500,000.
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11 SECTION 4. APPROPRIATIONS - YOUTH SERVICES. There is hereby appropriated,
12 to the Department of Human Services - Division of Youth Services, to be
13 payable from the General Improvement Fund or its successor fund or fund
14 accounts, the following:

15 (A) *For construction, acquisition of property, equipment, or systems to*
16 *improve security or operations of facilities, major maintenance, renovation*
17 *and repair of various DHS-Youth Services Facilities, and for expansion of the*
18 *Juvenile Upward Mobility Program (JUMP) Serious Offender Program facility, the*
19 *sum of\$5,025,000.*
20

21 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
23 TRANSFER. When funds are authorized to be made available through the
24 provisions of the General Improvement Distribution Act of 1999 for the Medical
25 Services - Information Technology Enhancement Development Costs herein and
26 upon meeting all other conditions as set out by law, the Chief Fiscal Officer
27 of the State and State Treasurer shall transfer the sum of two million sixty-
28 five thousand one hundred seventy-three dollars (\$2,065,173), or so much
29 thereof as is made available therefrom, from the General Improvement Fund or
30 its fund account to the Department of Human Services Paying Account as
31 designated by the Chief Fiscal Officer of the State, there to be used for such
32 purposes as appropriated herein.
33

34 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
36 PRIORITY. The Department of Human Services shall assign top priority to the

1 appropriation for the Division of Developmental Disabilities Services Human
2 Development Centers payable out of the General Improvement Fund provided
3 herein above all other general improvement appropriations provided to the
4 Department.

5
6 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 DISBURSEMENT OF FUNDS. Expenditure of the funds authorized herein shall be
9 made only upon documentation to the Chief Fiscal Officer of the State, in such
10 form as deemed necessary, that all criteria or pre-conditions established in
11 the appropriation act have been met or in the case of state agencies, that a
12 Method of Finance has been filed with the Office of Accounting in the
13 Department of Finance and Administration. Any matching funds as may be
14 provided in law shall be certified to the Chief Fiscal Officer of the State
15 prior to the commencement of the project. Further, any recipient of the funds
16 appropriated herein may be required to file a compliance audit indicating that
17 the use of the funds was in compliance with the intent of the General
18 Assembly.

19
20 SECTION 8. 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) The restrictions of any applicable provisions of the State Purchasing
33 Law, the General Accounting and Budgetary Procedures Law, the Revenue
34 Stabilization Law and any other applicable fiscal control laws of this State
35 and regulations promulgated by the Department of Finance and Administration,
36 as authorized by law, shall be strictly complied with in disbursement of any

1 funds provided by this act unless specifically provided otherwise by law.

2
3 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General Assembly
4 that any funds disbursed under the authority of the appropriations contained
5 in this act shall be in compliance with the stated reasons for which this act
6 was adopted, as evidenced by the Agency Requests, Executive Recommendations
7 and Legislative Recommendations contained in the budget manuals prepared by
8 the Department of Finance and Administration, letters, or summarized oral
9 testimony in the official minutes of the Arkansas Legislative Council or Joint
10 Budget Committee which relate to its passage and adoption.

11
12 SECTION 10. CODE. All provisions of this Act of a general and permanent
13 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
14 Code Revision Commission shall incorporate the same in the Code.

15
16 SECTION 11. SEVERABILITY. If any provision of this act or the application
17 thereof to any person or circumstance is held invalid, such invalidity shall
18 not affect other provisions or applications of the act which can be given
19 effect without the invalid provision or application, and to this end the
20 provisions of this act are declared to be severable.

21
22 SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict with
23 this act are hereby repealed.

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25 SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by the
26 Eighty-second General Assembly, that the Constitution of the State of Arkansas
27 prohibits the appropriation of funds for more than a two (2) year period; that
28 the effectiveness of this Act on July 1, 1999 is essential to the operation of
29 the agency for which the appropriations in this Act are provided, and that in
30 the event of an extension of the Regular Session, the delay in the effective
31 date of this Act beyond July 1, 1999 could work irreparable harm upon the
32 proper administration and provision of essential governmental programs.
33 Therefore, an emergency is hereby declared to exist and this Act being
34 necessary for the immediate preservation of the public peace, health and
35 safety shall be in full force and effect from and after July 1, 1999.

36 /s/ Russ