

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas As Engrossed: S2/28/01 S3/21/01 S3/27/01 S4/11/01

2 83rd General Assembly

A Bill

3 Regular Session, 2001

SENATE BILL 658

4

5 By: *Joint Budget Committee*

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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF
10 FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR
11 GRANTS TO COMMUNITY PROVIDERS; AND FOR OTHER PURPOSES.

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Subtitle

15 AN ACT FOR THE DEPARTMENT OF FINANCE AND
16 ADMINISTRATION - DISBURSING OFFICER -
17 GRANTS TO COMMUNITY PROVIDERS CAPITAL
18 IMPROVEMENT APPROPRIATION.

19

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

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22 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the Department
23 of Finance and Administration - Disbursing Officer, to be payable from the
24 General Improvement Fund or its successor fund or fund accounts, the
25 following:

26 (A) For the construction of community residential options for individuals
27 with developmental disabilities and other costs of community providers
28 licensed by the Division of Developmental Disabilities Services, for the
29 purpose of responding to housing needs identified in the course of complying
30 with the Olmstead plan developed for the state of Arkansas, the sum of
31 \$5,000,000.

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33 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
34 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
35 PROVIDER GRANTS PROVISION. Before the disbursement of any appropriation and
36 funds authorized in Section 1 of this Act, the Department of Human Services -

1 Developmental Disabilities Services shall prepare guidelines and notify all
2 community providers licensed by the Department of Human Services -
3 Developmental Disabilities Services of timeframes for acceptance and review of
4 Requests for Proposals to develop community-based housing to meet the housing
5 needs identified in the course of complying with the Olmstead Plan developed
6 for the State of Arkansas. Such housing funded in whole or in part under
7 Section 1 of this Act shall not be developed on the grounds of, or adjacent
8 to, state-operated institutions in keeping with "good practice" procedures for
9 optimal integration into the community environments within the spirit of the
10 Olmstead Supreme Court decision.

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12 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
13 obligations otherwise incurred in relation to the project or projects
14 described herein in excess of the State Treasury funds actually available
15 therefor as provided by law. Provided, however, that institutions and
16 agencies listed herein shall have the authority to accept and use grants and
17 donations including Federal funds, and to use its unobligated cash income or
18 funds, or both available to it, for the purpose of supplementing the State
19 Treasury funds for financing the entire costs of the project or projects
20 enumerated herein. Provided further, that the appropriations and funds
21 otherwise provided by the General Assembly for Maintenance and General
22 Operations of the agency or institutions receiving appropriation herein shall
23 not be used for any of the purposes as appropriated in this act.

24 (B) The restrictions of any applicable provisions of the State Purchasing
25 Law, the General Accounting and Budgetary Procedures Law, the Revenue
26 Stabilization Law and any other applicable fiscal control laws of this State
27 and regulations promulgated by the Department of Finance and Administration,
28 as authorized by law, shall be strictly complied with in disbursement of any
29 funds provided by this act unless specifically provided otherwise by law.

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31 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly
32 that any funds disbursed under the authority of the appropriations contained
33 in this act shall be in compliance with the stated reasons for which this act
34 was adopted, as evidenced by the Agency Requests, Executive Recommendations
35 and Legislative Recommendations contained in the budget manuals prepared by
36 the Department of Finance and Administration, letters, or summarized oral

1 testimony in the official minutes of the Arkansas Legislative Council or Joint
2 Budget Committee which relate to its passage and adoption.

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4 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
5 Assembly, that the Constitution of the State of Arkansas prohibits the
6 appropriation of funds for more than a two (2) year period; that the
7 effectiveness of this Act on July 1, 2001 is essential to the operation of the
8 agency for which the appropriations in this Act are provided, and that in the
9 event of an extension of the Regular Session, the delay in the effective date
10 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
11 administration and provision of essential governmental programs. Therefore, an
12 emergency is hereby declared to exist and this Act being necessary for the
13 immediate preservation of the public peace, health and safety shall be in full
14 force and effect from and after July 1, 2001.

15 */s/ Joint Budget Committee*