

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
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1270

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
9 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
11 HUMAN SERVICES; AND FOR OTHER PURPOSES.
12
13

Subtitle

14
15 AN ACT FOR THE DEPARTMENT OF HUMAN
16 SERVICES REAPPROPRIATION.
17
18

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

21 SECTION 1. REAPPROPRIATION - AGING AND ADULT SERVICES - GENERAL
22 IMPROVEMENT FUND. There is hereby appropriated, to the Department of Human
23 Services - Division of Aging and Adult Services, to be payable from the
24 General Improvement Fund or its successor fund or fund accounts, for the
25 Department of Human Services - Division of Aging and Adult Services, the
26 following:

27 (A) Effective July 1, 2005, the balance of the appropriation provided in
28 Item (A) of Section 1 of Act 734 of 2003, for state aid to the Area Agency on
29 Aging in Madison County, in a sum not to exceed\$12,138.
30

31 (B) Effective July 1, 2005, the balance of the appropriation provided in
32 Item (B) of Section 1 of Act 734 of 2003, for state aid to the Area Agency on
33 Aging in Newton County, in a sum not to exceed\$12,138.
34

35 (C) Effective July 1, 2005, the balance of the appropriation provided in
36 Section 1 of Act 741 of 2003, for state aid to the Area Agency on Aging in



1 Searcy County, in a sum not to exceed\$12,138.

2

3 SECTION 2. REAPPROPRIATION - ADMINISTRATIVE SERVICES - GENERAL IMPROVEMENT
4 FUND. There is hereby appropriated, to the Department of Human Services -
5 Division of Administrative Services, to be payable from the General
6 Improvement Fund or its successor fund or fund accounts, for the Department
7 of Human Services - Division of Administrative Services, the following:

8 (A) Effective July 1, 2005, the balance of the appropriation provided in
9 Item (A) of Section 1 of Act 154 of 2003, for
10 Maintenance/Construction/Equipping, in a sum not to exceed\$1,000,000.

11

12 SECTION 3. REAPPROPRIATION - BEHAVIORAL HEALTH SERVICES - GENERAL
13 IMPROVEMENT FUND. There is hereby appropriated, to the Department of Human
14 Services - Division of Behavioral Health, to be payable from the General
15 Improvement Fund or its successor fund or fund accounts, for the Department
16 of Human Services - Division of Behavioral Health, the following:

17 (A) Effective July 1, 2005, the balance of the appropriation provided in
18 Item (A) of Section 1 of Act 70 of 2003, for Common Ground Program Youth
19 Violence Prevention Grants, in a sum not to exceed\$45,631.

20

21 SECTION 4. REAPPROPRIATION - YOUTH SERVICES - GENERAL IMPROVEMENT FUND.
22 There is hereby appropriated, to the Department of Human Services - Division
23 of Youth Services, to be payable from the General Improvement Fund or its
24 successor fund or fund accounts, for the Department of Human Services -
25 Division of Youth Services, the following:

26 (A) Effective July 1, 2005, the balance of the appropriation provided in
27 Item (A) of Section 2 of Act 80 of 2003, for construction, acquisition of
28 property, equipment, or systems to improve security or operations of
29 facilities, major maintenance, renovation and repair of various DHS-Youth
30 Services Facilities, and for expansion of the Juvenile Upward Mobility
31 Program (JUMP) Serious Offender Program facility, in a sum not to exceed
32\$5,473.

33

34 SECTION 5. REAPPROPRIATION - YOUTH SERVICES - FEDERAL FUNDS. There is
35 hereby appropriated, to the Department of Human Services - Division of Youth
36 Services, to be payable from the federal funds as designated by the Chief

1 Fiscal Officer of the State, for the Department of Human Services - Division
2 of Youth Services, the following:

3 (A) Effective July 1, 2005, the balance of the appropriation provided in
4 Item (A) of Section 7 of Act 80 of 2003, for contract services and
5 construction activities of the Division of Youth Services through the Violent
6 Offender Incarceration and Truth in Sentencing program, in a sum not to
7 exceed\$156,653.
8

9 SECTION 6. REAPPROPRIATION - YOUTH SERVICES - FACILITIES NEEDS FUND. There
10 is hereby appropriated, to the Department of Human Services - Division of
11 Youth Services, to be payable from the Department of Human Services - Youth
12 Services Facilities Needs Fund, for the Department of Human Services -
13 Division of Youth Services, the following:

14 (A) Effective July 1, 2005, the balance of the appropriation provided in
15 Item (A) of Section 8 of Act 80 of 2003, for purchase of needed equipment,
16 acquisition of facilities, repairs or renovations, contracting with providers
17 for services, construction expenses, or other facility operations costs, in a
18 sum not to exceed\$1,096,064.
19

20 SECTION 7. 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
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 8. 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 which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects provided or enumerated in this act; that certain appropriations will expire before the adjournment of the General Assembly; and that if such appropriations expire, the projects and programs authorized herein will cease thereby depriving the citizens of the State of the benefits to be derived from such projects. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.