

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.

State of Arkansas  
86th General Assembly  
Regular Session, 2007

As Engrossed: H3/16/07

## A Bill

HOUSE BILL 1901

By: Representative Medley

### For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
OF HEALTH AND HUMAN SERVICES - DIVISION OF  
BEHAVIORAL HEALTH FOR PROTOCOLS, REPORTS,  
*COMPLIANCE AND FINANCING THE SUPPORT AND  
EXPANSION OF PSYCHIATRIC HEALTH CARE STATEWIDE;  
AND FOR OTHER PURPOSES.*

### Subtitle

AN ACT FOR THE DEPARTMENT OF HEALTH AND  
HUMAN SERVICES - DIVISION OF BEHAVIORAL  
HEALTH - PROTOCOLS, REPORTS, AND  
*PSYCHIATRIC HEALTH CARE SUPPORT  
APPROPRIATION.*

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

SECTION 1. APPROPRIATIONS - *PSYCHIATRIC HEALTH CARE SUPPORT AND EXPANSION.*  
There is hereby appropriated, to the Department of Health and Human Services  
- Division of Behavioral Health, to be payable from the *Healthy Century Trust*  
*Fund from two million dollars (\$2,000,000) in investment earnings each fiscal*  
*year, the following:*

(A) To create standard protocols, submission and evaluation of reports,  
and monitoring of compliance, the sum of .....\$25,000.

(B) *For the payment of expenses related to constructing, equipping and  
renovating facilities to support and expand the number of psychiatric beds in  
health care facilities statewide, the sum of.....\$4,000,000."*



1       SECTION 2. Arkansas Code § 19-12-107(e)(1), resulting from Initiated Act  
2 1 of 2000, concerning the purposes for use of moneys in the Arkansas Healthy  
3 Century Trust Fund, is amended to read as follows:

4       (e) The Arkansas Healthy Century Trust Fund shall be held in trust and  
5 used for the following purposes, and no other purposes:

6       (1) investment earnings on the Arkansas Healthy Century Trust Fund ~~may~~  
7 shall be used for:

8       (A) the payment of expenses related to the responsibilities of the  
9 State Board of Finance as set forth in § 19-12-103; and

10       (B) ~~such programs, and other projects related to health care~~  
11 ~~services, health education, and health related research as shall, from time~~  
12 ~~to time, be designated in legislation adopted by the General Assembly the~~  
13 payment of up to two million dollars (\$2,000,000) each fiscal year for  
14 expenses related to constructing, equipping and renovating facilities to  
15 support and expand the number of psychiatric beds in health care facilities  
16 statewide.

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

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

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

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10       SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
11 Assembly, that the Constitution of the State of Arkansas prohibits the  
12 appropriation of funds for more than a two (2) year period; that the  
13 effectiveness of this Act on July 1, 2007 is essential to the operation of  
14 the agency for which the appropriations in this Act are provided, and that in  
15 the event of an extension of the Regular Session, the delay in the effective  
16 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
17 proper administration and provision of essential governmental programs.  
18 Therefore, an emergency is hereby declared to exist and this Act being  
19 necessary for the immediate preservation of the public peace, health and  
20 safety shall be in full force and effect from and after July 1, 2007.

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22                                   /s/ Medley  
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