

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 86th General Assembly  
3 Regular Session, 2007  
4

*As Engrossed: H3/5/07*  
**A Bill**

HOUSE BILL 2058

5 By: Representative Sumpter  
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**For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT  
10 OF HEALTH & HUMAN SERVICES - DIVISION OF HEALTH  
11 FOR A STATE TRAUMA SYSTEM; AND FOR OTHER  
12 PURPOSES.  
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**Subtitle**

16 AN ACT FOR THE DEPARTMENT OF HEALTH &  
17 HUMAN SERVICES - DIVISION OF HEALTH - A  
18 STATE TRAUMA SYSTEM GENERAL IMPROVEMENT  
19 APPROPRIATION.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. APPROPRIATIONS - STATE TRAUMA SYSTEM. There is hereby  
25 appropriated, to the Department of Health & Human Services - Division of  
26 Health, to be payable from the Trauma System Revolving Trust Fund, the  
27 following:

28 (A) For development and operating expenses of a state trauma system, the  
29 sum of .....\$1,000,000.  
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31 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
33 TRANSFER. On the effective date of this Act the Chief Fiscal Officer of the  
34 State shall transfer on his books and those of the State Treasurer and  
35 Auditor of State the sum of one hundred million dollars (\$100,000,000) from  
36 the unobligated balances in the General Revenue Allotment Reserve Fund to the



1 Arkansas State Catastrophe Trust Fund Account to provide funds for the  
2 appropriation provided herein.

3 The provisions of this section shall be in effect from July 1, 2007  
4 through June 30, 2009.

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6 SECTION 3. APPROPRIATIONS - STATE CATASTROPHES. There is hereby  
7 appropriated, to the Department of Health & Human Services - Division of  
8 Health, to be payable from the Arkansas State Catastrophe Trust Fund Account,  
9 the following:

10 (A) For state assistance to the Department of Health and Human Services -  
11 Division of Health for costs associated with responding to catastrophes in  
12 the State of Arkansas, the sum of .....\$50,000,000.  
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14 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
16 TRANSFER. Beginning July 1, 2007 and each fiscal year thereafter all interest  
17 earned on monies deposited in the Arkansas State Catastrophe Trust Fund  
18 Account shall be transferred to the Trauma System Revolving Trust Fund to  
19 provide funds for the appropriation provided herein.

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21 SECTION 5. SPECIAL LANGUAGE. Arkansas State Catastrophe Trust Fund  
22 Account. (a) There is created on the books of the Treasurer of State, the  
23 Auditor of State, and the Chief Fiscal Officer of the State a trust fund to  
24 be known as the "Arkansas State Catastrophe Trust Fund Account".  
25 (b) The fund shall consist of gifts, grants, donations received by this  
26 state, federal revenue, interest earnings, bequests and such revenues as may  
27 be provided by the General Assembly or authorized by law.  
28 (c) This fund shall be used by the Governor for the purposes authorized and  
29 required by Arkansas Code Title 12, Chapter 5, regarding emergency services.

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31 SECTION 6. SPECIAL LANGUAGE. Trauma System Revolving Trust Fund.  
32 Arkansas Code Title 19, Chapter 5, Subchapter 11 is amended to read as  
33 follows:

34 19-5-1132. Arkansas Trauma System Revolving Trust Fund.  
35 (a) There is hereby established on the books of the Treasurer of State,  
36 Auditor of State, and Chief Fiscal Officer of State a Trust fund to be known

1 as the "Trauma System Revolving Trust Fund".

2 (b) The fund shall consist of moneys appropriated for the state trauma  
3 system, federal funds, gifts, grants, interest earnings, bequests, devises  
4 and donations, any other funds received by the Division of Health of the  
5 Department of Health and Human Services for the development and operation of  
6 a state trauma system and any other funds authorized by law.

7 (c) This fund shall be used by the Division of Health of the Department of  
8 Health and Human Services to fund the state trauma system with the advice of  
9 the Trauma Advisory Council, as set out in 20-13-802 et seq.

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11 SECTION 7. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
12 obligations otherwise incurred in relation to the project or projects  
13 described herein in excess of the State Treasury funds actually available  
14 therefor as provided by law. Provided, however, that institutions and  
15 agencies listed herein shall have the authority to accept and use grants and  
16 donations including Federal funds, and to use its unobligated cash income or  
17 funds, or both available to it, for the purpose of supplementing the State  
18 Treasury funds for financing the entire costs of the project or projects  
19 enumerated herein. Provided further, that the appropriations and funds  
20 otherwise provided by the General Assembly for Maintenance and General  
21 Operations of the agency or institutions receiving appropriation herein shall  
22 not be used for any of the purposes as appropriated in this act.

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

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30 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly  
31 that any funds disbursed under the authority of the appropriations contained  
32 in this act shall be in compliance with the stated reasons for which this act  
33 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
34 and Legislative Recommendations contained in the budget manuals prepared by  
35 the Department of Finance and Administration, letters, or summarized oral  
36 testimony in the official minutes of the Arkansas Legislative Council or

1 Joint Budget Committee which relate to its passage and adoption.

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3 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
4 Assembly, that the Constitution of the State of Arkansas prohibits the  
5 appropriation of funds for more than a two (2) year period; that the  
6 effectiveness of this Act on July 1, 2007 is essential to the operation of  
7 the agency for which the appropriations in this Act are provided, and that in  
8 the event of an extension of the Regular Session, the delay in the effective  
9 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
10 proper administration and provision of essential governmental programs.  
11 Therefore, an emergency is hereby declared to exist and this Act being  
12 necessary for the immediate preservation of the public peace, health and  
13 safety shall be in full force and effect from and after July 1, 2007.

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15 /s/ Sumpter  
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