

State of Arkansas

92nd General Assembly

Fiscal Session, 2020

A Bill

HOUSE BILL 1012

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF
HUMAN SERVICES - DIVISION OF DEVELOPMENTAL
DISABILITIES SERVICES; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF HUMAN
SERVICES - DIVISION OF DEVELOPMENTAL
DISABILITIES SERVICES REAPPROPRIATION.

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

SECTION 1. REAPPROPRIATION - BOONEVILLE HUMAN DEVELOPMENT CENTER.

There is hereby appropriated, to the Department of Human Services, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for the Department of Human Services - Division of Developmental Disabilities Services the following:

(A) Effective July 1, 2020, the balance of the appropriation provided in Item (A) of Section 1 of Act 226 of 2019, for implementation of the initial phase of the Booneville Human Development Center master plan including costs associated with demolition, construction, replacement, renovation, upgrade, and addition of facilities at the Booneville Human Development Center, in a sum not to exceed\$1,893,820.

SECTION 2. REAPPROPRIATION - DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES - FEDERAL. There is hereby appropriated, to the Department of Human Services, to be payable from the federal funds as designated by the Chief



Fiscal Officer of the State, for the Department of Human Services - Division of Developmental Disabilities Services the following:

(A) Effective July 1, 2020, the balance of the appropriation provided in Item (A) of Section 1 of Act 401 of 2019, for implementation of the Booneville Human Development Center master plan including costs associated with demolition, construction, replacement, renovation, upgrade, and addition of facilities at the Booneville Human Development Center, in a sum not to exceed\$1,893,820.

(B) Effective July 1, 2020, the balance of the appropriation provided in Item (B) of Section 1 of Act 401 of 2019, for implementation of the residential housing plan of the Booneville Human Development Center master plan including costs associated with demolition, construction, replacement, renovation, upgrade, and addition of facilities at the Booneville Human Development Center, in a sum not to exceed\$8,482,600.

SECTION 3. REAPPROPRIATION - DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES. There is hereby appropriated, to the Department of Human Services, to be payable from the Development and Enhancement Fund, for the Department of Human Services - Division of Developmental Disabilities Services the following:

(A) Effective July 1, 2020, the balance of the appropriation provided in Item (A) of Section 2 of Act 401 of 2019, for costs associated with construction, renovation, replacement, upgrade, improvement, addition, and modernization of facilities and equipment for the infirmary at the Conway Human Development Center, in a sum not to exceed\$1,712,800.

(B) Effective July 1, 2020, the balance of the appropriation provided in Item (B) of Section 2 of Act 401 of 2019, for costs associated with construction, renovation, replacement, upgrade, improvement, and addition of facilities and equipment for an eight bed crisis residence at the Jonesboro Human Development Center, in a sum not to exceed\$1,010,000.

SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that institutions and agencies listed herein shall have the authority to accept and use grants and

1 donations including Federal funds, and to use its unobligated cash income or
2 funds, or both available to it, for the purpose of supplementing the State
3 Treasury funds for financing the entire costs of the project or projects
4 enumerated herein. Provided further, that the appropriations and funds
5 otherwise provided by the General Assembly for Maintenance and General
6 Operations of the agency or institutions receiving appropriation herein shall
7 not be used for any of the purposes as appropriated in this act.

8 (B) The restrictions of any applicable provisions of the State
9 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
10 Revenue Stabilization Law and any other applicable fiscal control laws of
11 this State and regulations promulgated by the Department of Finance and
12 Administration, as authorized by law, shall be strictly complied with in
13 disbursement of any funds provided by this act unless specifically provided
14 otherwise by law.

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

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25 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
26 Assembly, that the Constitution of the State of Arkansas prohibits the
27 appropriation of funds for more than a one (1) year period; that the
28 effectiveness of this Act on July 1, 2020 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 legislative session, the delay in the
31 effective date of this Act beyond July 1, 2020 could work irreparable harm
32 upon the proper administration and provision of essential governmental
33 programs. Therefore, an emergency is hereby declared to exist and this Act
34 being necessary for the immediate preservation of the public peace, health
35 and safety shall be in full force and effect from and after July 1, 2020.