

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PROVIDING FOR PAYMENT
9 OF SMALL CONTROVERSIAL AND NON-CONTROVERSIAL CLAIMS WHICH
10 HAVE BEEN APPROVED BY THE ARKANSAS STATE CLAIMS COMMISSION
11 WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS
12 APPROPRIATED BY ACT 111 OF THE FIRST EXTRAORDINARY SESSION
13 OF 1989, FOR THE FISCAL YEAR ENDING JUNE 30, 1991; AND FOR
14 OTHER PURPOSES."

15

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

17

18 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
19 Arkansas State Claims Commission, to be payable from the Miscellaneous
20 Revolving Fund, for payment of the awards made by the Arkansas State Claims
21 Commission as provided by law, on non-controversial claims for refunds of
22 taxes and fees erroneously paid into the State Treasury, redemption of old
23 warrants presented to the State Treasurer after the time of redemption has
24 expired and for services and supplies on which bills for payment of same were
25 presented for payment too late to be paid from the then current appropriation
26 which shall be supplemental and in addition to those funds appropriated in
27 Section 5 of Act 111 of the First Extraordinary Session of 1989, for the
28 remainder of the fiscal year ending June 30, 1991, the following:

29

30 ITEM	FISCAL YEAR
31 NO.	1990-91
32 (01) CLAIMS	<u>\$ 130,000</u>

33

34 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
35 Arkansas State Claims Commission, to be payable from the Miscellaneous

1 Revolving Fund, for payment of the small controversial claim awards made by
2 the Arkansas State Claims Commission which shall be supplemental and in
3 addition to those funds appropriated in Section 4 of Act 111 of the First
4 Extraordinary Session of 1989, for the remainder of the fiscal year ending
5 June 30, 1991, the following:

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ITEM	FISCAL YEAR
8 NO.	1990-91
9 (01) CLAIMS	<u>\$ 50,000</u>

10

11 SECTION 3. RESTRICTIONS. No award may be paid in excess of
12 five-thousand dollars (\$5,000.00) on any one small controversial claim as
13 authorized in Section 2 of this Act. If the award is greater than \$5,000.00,
14 then such claim shall be referred to the General Assembly for an
15 appropriation, as in the instance of other claims referred by the Arkansas
16 State Claims Commission.

17

18 SECTION 4. RESTRICTIONS. No award may be paid in excess of
19 five-thousand dollars (\$5,000.00) on any one non-controversial claim as
20 authorized in Section 1 of this Act. If the award is greater than \$5,000.00,
21 then such claim shall be referred to the General Assembly for an
22 appropriation, as in the instance of other claims referred by the Arkansas
23 State Claims Commission. No voucher may be issued on this appropriation in
24 any amount of awards made by the Arkansas State Claims Commission for personal
25 injury, property damage, or contract claims.

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27 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
28 authorized by this Act shall be limited to the appropriation for such agency
29 and funds made available by law for the support of such appropriations; and
30 the restrictions of the State Purchasing Law, the General Accounting and
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
32 Procedures and Restrictions Act, or their successors, and other fiscal control
33 laws of this State, where applicable, and regulations promulgated by the
34 Department of Finance and Administration, as authorized by law, shall be
35 strictly complied with in disbursement of said funds.

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

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11 SECTION 7. CODE. All provisions of this Act of a general and permanent
12 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
13 Code Revision Commission shall incorporate the same in the Code.

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15 SECTION 8. SEVERABILITY. If any provision of this Act or the
16 application thereof to any person or circumstance is held invalid, such
17 invalidity shall not affect other provisions or applications of the Act which
18 can be given effect without the invalid provision or application, and to this
19 end the provisions of this Act are declared to be severable.

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21 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
22 with this Act are hereby repealed.

23

24 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
25 Seventy-Eighth General Assembly, that funds provided by the Seventy-Seventh
26 General Assembly for the operations of the Arkansas State Claims Commission
27 are, due to unforeseen circumstances, insufficient for the Arkansas State
28 Claims Commission to continue to provide essential governmental services; that
29 the provisions of this act will provide the necessary monies for the Arkansas
30 State Claims Commission to continue such services; and that a delay in the
31 effective date of this Act could work irreparable harm upon the proper
32 administration and provision of essential governmental programs. Therefore,
33 an emergency is hereby declared to exist and this Act being necessary for the
34 immediate preservation of the public peace, health and safety shall be in full
35 force and effect from and after the date of its passage and approval.

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