

Stricken language would be deleted from and underlined language would be added to present law.  
Act 54 of the 2nd Extraordinary Session

1 State of Arkansas  
2 84th General Assembly  
3 Second Extraordinary Session, 2003  
4

As Engrossed: S1/17/04

Call Item 10

**A Bill**

SENATE BILL 70

5 By: Joint Budget Committee  
6  
7

**For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR THE ARKANSAS  
10 STATE CLAIMS COMMISSION TO PAY CLAIMS AGAINST THE  
11 STATE; AND FOR OTHER PURPOSES.  
12  
13

**Subtitle**

15 AN ACT FOR THE ARKANSAS STATE CLAIMS  
16 COMMISSION APPROPRIATION.  
17  
18

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

21 SECTION 1. APPROPRIATION - DEPARTMENT OF FINANCE AND ADMINISTRATION -  
22 REVENUE DIVISION. There is hereby appropriated, to the Department of Finance  
23 and Administration - Revenue Services Division, to be payable from the  
24 Miscellaneous Revolving Fund, for the purpose of paying claims against the  
25 State of Arkansas to the payee set out herein:  
26

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2003-2004</u>
(01) TEXLON CORPORATION	<u>\$ 12,409</u>

31 SECTION 2. APPROPRIATION - DEPARTMENT OF FINANCE AND ADMINISTRATION -  
32 REVENUE DIVISION. There is hereby appropriated, to the Department of Finance  
33 and Administration - Revenue Services Division, to be payable from the  
34 Corporate Income Tax Withholding Fund, for paying claims against the State of  
35 Arkansas to the payee set out herein:  
36



ITEM	FISCAL YEAR
<u>NO.</u>	<u>2003-2004</u>
(01) SBC SERVICES, INC.	<u>\$ 861,000</u>

4

SECTION 3. APPROPRIATION - DEPARTMENT OF FINANCE AND ADMINISTRATION - REVENUE DIVISION. There is hereby appropriated, to the Department of Finance and Administration - Revenue Services Division, to be payable from the State Central Services Fund, for paying claims against the State of Arkansas to the payee set out herein:

10

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2003-2004</u>
(01) GETRONICS WANG CO.	<u>\$ 14,931.20</u>

14

SECTION 4. APPROPRIATION - DEPARTMENT OF FINANCE AND ADMINISTRATION - REVENUE DIVISION. There is hereby appropriated, to the Department of Finance and Administration - Revenue Services Division, to be payable from the Individual Income Tax Withholding Fund, for paying claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2003-2004</u>
(01) ROBERT F. & STELLA S. MCCRARY	<u>\$ 13,054</u>

23

SECTION 5. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES. There is hereby appropriated, to the Department of Human Services, to be payable from the Children and Family Services Fund Account, for paying claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2003-2004</u>
(01) HARBOR VIEW MERCY COUNSELING	<u>\$ 33,258</u>

31

SECTION 6. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES. There is hereby appropriated, to the Department of Human Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for paying claims against the State of Arkansas to the payee set out herein:

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2003-2004</u>
(01) DR. G. A. SEXTON	\$ 12,560.67
(02) DEPARTMENT OF CORRECTION - CORRECTIONAL INDUSTRIES	<u>12,767.60</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 25,328.27</u>

SECTION 7. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - DIVISION OF CHILDREN AND FAMILY SERVICES. There is hereby appropriated, to the Department of Human Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for paying claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2003-2004</u>
(01) MARK A. ROBERTS	<u>\$ 118,897.44</u>

SECTION 8. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - DIVISION OF MENTAL HEALTH SERVICES. There is hereby appropriated, to the Department of Human Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for paying claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2003-2004</u>
(01) ARKANSAS HEALTHCARE PERSONNEL, INC.	<u>\$ 18,757.60</u>

SECTION 9. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES. There is hereby appropriated, to the Department of Human Services - Division of Developmental Disabilities Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for paying claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2003-2004</u>

1 (01) MARY DENISE THOMAS \$ 15,230.80

2

3 SECTION 10. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - DIVISION OF  
4 MEDICAL SERVICES. There is hereby appropriated, to the Department of Human  
5 Services - Division of Medical Services, to be payable from the paying  
6 account as determined by the Chief Fiscal Officer of the State, for paying  
7 claims against the State of Arkansas to the payee set out herein:

8

9 ITEM FISCAL YEAR  
10 NO. 2003-2004

11 (01) REGIONAL REHAB SYSTEMS \$ 25,000

12

13 SECTION 11. APPROPRIATION - ARKANSAS HIGHWAY AND TRANSPORTATION  
14 DEPARTMENT. There is hereby appropriated, to the Arkansas State Highway and  
15 Transportation Department, to be payable from the State Highway and  
16 Transportation Department Fund, for paying claims against the State of  
17 Arkansas to the payee set out herein:

18 ITEM FISCAL YEAR  
19 NO. 2003-2004

20 (01) MARGARET SORROWS AS PARENT  
21 AND NEXT FRIEND OF TAYLOR SORROWS \$ 1,085.42

22

23 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The clerk  
25 of the State Claims Commission is hereby made the disbursing officer for the  
26 purpose of paying the claims appropriated by this Act. The Clerk of the  
27 State Claims Commission is hereby authorized to receive all warrants prepared  
28 under the provisions of this Act from the Auditor of the State and to  
29 distribute same to the claimants.

30

31 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DEPARTMENT  
33 OF HUMAN SERVICES. For any claims in this Act appropriated to the Department  
34 of Human Services, the Clerk of the State Claims Commission shall consult  
35 with the Department of Human Services and the Chief Fiscal Officer of the  
36 State to determine the division and funds to which liability should be

1 assigned and from which the warrants shall be drawn. The Clerk of the State  
2 Claims Commission shall initiate the appropriate transfers as may be required  
3 and as approved by the Chief Fiscal Officer of the State.  
4

5 *SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
6 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS*  
7 *FROM CASH FUNDS. In the event that any claim authorized herein is determined*  
8 *to be a valid claim against the State and the claim is to be paid from funds*  
9 *not in the State Treasury, the Clerk of the State Claims Commission shall*  
10 *notify the agency against which the claim is to be charged of the amount of*  
11 *such claims. Upon receipt of such notification, the state agency shall*  
12 *forthwith deliver a check to the Clerk of the State Claims Commission who*  
13 *shall deposit the same as a non-revenue receipt into the Miscellaneous*  
14 *Revolving Fund from which he shall disburse the amount of the claim to the*  
15 *claimant.*  
16

17 *SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
18 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMPLOYMENT*  
19 *COMPENSATION CLAIMS. The Clerk of the State Claims Commission shall not*  
20 *distribute any warrants prepared under the provisions of this Act for awards*  
21 *made by the Arkansas State Claims Commission for employment compensation*  
22 *claims. Upon the award by the State Claims Commission of an employment*  
23 *compensation claim, the Clerk of the State Claims Commission shall notify the*  
24 *affected state agency and the Department of Finance and Administration -*  
25 *Office of Personnel Management of such amounts that are due and payable. The*  
26 *affected state agency shall then process the award through the State*  
27 *mechanized Payroll System.*  
28

29 *SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
30 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS*  
31 *AWARD REPORTING. It is the intent of the General Assembly that when any state*  
32 *agency, board, commission or institution of higher education admits liability*  
33 *to a claim filed with the State Claims Commission and the claim involves a*  
34 *contract with a state agency, board, commission or institution of higher*  
35 *education or the claim exceeds ten thousand dollars (\$10,000) that such*  
36 *agency, board, commission or institution of higher education file a written*

1 report thereof to the Litigation Subcommittee of the Legislative Council.  
2 Such a report shall include a concise statement of facts with an explanation  
3 of the agency's liability. Provided further, such report shall be filed with  
4 the Litigation Subcommittee within thirty (30) days after the claim has been  
5 adjudicated by the State Claims Commission.

6  
7 *SECTION 17. COMPLIANCE WITH OTHER LAWS.* Disbursement of funds authorized  
8 by this act shall be limited to the appropriation for such agency and funds  
9 made available by law for the support of such appropriations; and the  
10 restrictions of the State Purchasing Law, the General Accounting and  
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
12 Procedures and Restrictions Act, or their successors, and other fiscal  
13 control laws of this State, where applicable, and regulations promulgated by  
14 the Department of Finance and Administration, as authorized by law, shall be  
15 strictly complied with in disbursement of said funds.

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

25  
26 *SECTION 19. EMERGENCY CLAUSE.* It is found and determined by the General  
27 Assembly, that funds provided by the General Assembly for the operations of  
28 the Arkansas State Claims Commission are, due to unforeseen circumstances,  
29 insufficient for the Arkansas State Claims Commission to continue to provide  
30 essential governmental services; that the provisions of this act will provide  
31 the necessary monies for the Arkansas State Claims Commission to continue  
32 such services; and that the delay in the effective date of this Act beyond  
33 the date of its passage and approval could work irreparable harm upon the  
34 proper administration and provision of essential governmental programs.  
35 Therefore, an emergency is hereby declared to exist and this Act being  
36 necessary for the immediate preservation of the public peace, health and

1 safety shall be in full force and effect from and after the date of its  
2 passage and approval.

3 If the bill is neither approved nor vetoed by the Governor, it shall become  
4 effective on the expiration of the period of time during which the Governor  
5 may veto the bill. If the bill is vetoed by the Governor and the veto is  
6 overridden, it shall become effective on the date the last house overrides  
7 the veto.

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

*/s/ Joint Budget Committee*

**APPROVED: 1/26/2004**