

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 2070

4 By: Joint Budget Committee
5
6

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION WHICH SHALL BE
9 SUPPLEMENTAL AND IN ADDITION TO OTHER APPROPRIATIONS MADE
10 BY THE EIGHTIETH GENERAL ASSEMBLY TO PAY ALLOWED CLAIMS
11 AND AN APPROPRIATION TO THE ARKANSAS STATE CLAIMS
12 COMMISSION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO
13 THOSE FUNDS APPROPRIATED BY ACT 45 OF 1993; AND FOR OTHER
14 PURPOSES."

Subtitle

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17 "AN ACT TO MAKE AN APPROPRIATION FOR THE
18 PAYMENT OF APPROVED CLAIMS BY THE
19 ARKANSAS STATE CLAIMS COMMISSION AND FOR
20 THE ARKANSAS STATE CLAIMS COMMISSION
21 SUPPLEMENTAL APPROPRIATION."
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
26 Arkansas State Highway & Transportation Department, to be payable from the
27 State Highway and Transportation Department Fund, for the purpose of paying
28 claims against the State of Arkansas to the payees set out herein, the
29 following:

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31 ITEM

<u>NO.</u>	<u>AWARD</u>
33 (1) Denise C. Greeson	\$ 5,975.00
34 (2) Deja Digrazia, et al	<u>194,070.00</u>
35 Total Appropriated	<u>\$ 200,045.00</u>

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2 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
3 Auditor of State, to be payable from the General Revenue Fund Account of the
4 State Apportionment Fund, for the purpose of paying claims against the State
5 of Arkansas to the payee set out herein, the following:

6

7 ITEM

8 <u>NO.</u>	<u>AWARD</u>
9 (01) Linda R. Morgan	<u>\$ 8,017.99</u>

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11 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the
12 Department of Finance and Administration - Revenue Services Division, to be
13 payable from the Individual Income Tax Withholding Fund, for the purpose of
14 paying claims against the State of Arkansas to the payee set out herein, the
15 following:

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17 ITEM

18 <u>NO.</u>	<u>AWARD</u>
19 (1) NGC Energy Resources	<u>\$ 9,121.65</u>

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21 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the
22 Department of Education - General Education Division, to be payable from the
23 Public School Fund, for the purpose of paying claims against the State of
24 Arkansas to the payee set out herein, the following:

25 ITEM

26 <u>NO.</u>	<u>AWARD</u>
27 (1) Nan Doherty, Johnson Control	<u>\$ 11,244.25</u>

28

29 SECTION 5. APPROPRIATIONS. There is hereby appropriated, to the
30 Mississippi County Community College, to be payable from the Mississippi
31 County Community College Fund, for the purpose of paying claims against the
32 State of Arkansas to the payee set out herein, the following:

33 ITEM

34 <u>NO.</u>	<u>AWARD</u>
35 (1) Suns Investment Club, Inc.	<u>\$ 28,203.80</u>

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2 SECTION 6. APPROPRIATIONS. There is hereby appropriated, to the North
3 Arkansas Community/Technical College, to be payable from the North Arkansas
4 Community/Technical College Fund, for the purpose of paying claims against
5 the State of Arkansas to the payee set out herein, the following:

6 ITEM

<u>NO.</u>	<u>AWARD</u>
8 (1) Billie J. Blevins, et al.	<u>\$ 22,458.09</u>

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10 SECTION 7. APPROPRIATIONS. There is hereby appropriated, to the
11 Arkansas State Claims Commission, to be payable from the State Central
12 Services Fund, for operating expenses to assist with expenses incurred in the
13 upcoming move by the Arkansas State Claims Commission office which shall be
14 supplemental and in addition to those funds appropriated in Section 2 of Act
15 45 of 1993, the following:

16

17 ITEM

FISCAL YEARS

<u>NO.</u>		<u>1994-95</u>
19 (01) MAINT. & GEN. OPERATION		
20 (A) OPER. EXPENSE	\$3,500	
21 (B) CONF. & TRVL.	0	
22 (C) PROF. FEES	0	
23 (D) CAP. OUTLAY	0	
24 (E) DATA PROC.	<u>0</u>	
25 TOTAL MAINT. & GEN. OPER.		<u>\$ 3,500</u>
26 TOTAL AMOUNT APPROPRIATED		<u><u>\$ 3,500</u></u>

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28 SECTION 8. The Clerk of the State Claims Commission shall not
29 distribute any warrants prepared under the provisions of this Act for awards
30 made by the Arkansas State Claims Commission for employment compensation
31 claims. Upon the award by the State Claims Commission of an employment
32 compensation claim, the Clerk of the State Claims Commission shall notify the
33 affected state agency and the Department of Finance and Administration -
34 Office of Personnel Management of such amounts that are due and payable. The
35 affected state agency shall then process the award through the State

1 Mechanized Payroll System.

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3 SECTION 9. It is the intent of the General Assembly that when any
4 state agency, board, commission or institution of higher education admits
5 liability to a claim filed with the State Claims Commission and the claim
6 involves a contract with a state agency, board, commission or institution of
7 higher education or the claim exceeds five thousand dollars (\$5,000) that
8 such agency, board, commission or institution of higher education file a
9 written report thereof to the Litigation Subcommittee of the Arkansas
10 Legislative Council. Such report shall include a concise statement of facts
11 with an explanation of the agency's liability. Provided further, such report
12 shall be filed with the Litigation Subcommittee within thirty (30) days after
13 the claim has been adjudicated by the State Claims Commission.

14

15 SECTION 10. Any state agency which is affected by the allowed claim(s)
16 provided for in this Act, and whose funds for the 1994-95 fiscal year are
17 insufficient to allow for the payment of said claim(s) before June 30, 1995,
18 is hereby authorized, upon certification by the Chief Fiscal Officer of the
19 State, to make payment of said claim(s) after July 1, 1995, from funds
20 appropriated for the 1995-96 fiscal year.

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22 SECTION 11. The Clerk of the State Claims Commission is hereby made the
23 disbursing officer for the purpose of paying the claims appropriated by this
24 Act. The Clerk of the State Claims Commission is hereby authorized to
25 receive all warrants prepared under the provisions of this Act from the
26 Auditor of State and to distribute same to the claimants.

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28 SECTION 12. In the event that any claim authorized herein is determined
29 to be a valid claim against the State and the claim is to be paid from funds
30 not in the State Treasury, the Clerk of the State Claims Commission shall
31 notify the agency against which the claim is to be charged of the amount of
32 such claims. Upon receipt of such notification, the state agency shall
33 forth-with deliver a check to the Clerk of the State Claims Commission who
34 shall deposit the same as a nonrevenue receipt into the Miscellaneous
35 Revolving Fund from which he shall disburse the amount of the claim to the

1 claimant.

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

12

13 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General
14 Assembly that any funds disbursed under the authority of the appropriations
15 contained in this Act shall be in compliance with the stated reasons for
16 which this Act was adopted, as evidenced by the Agency Requests, Executive
17 Recommendations and Legislative Recommendations contained in the budget
18 manuals prepared by the Department of Finance and Administration, letters, or
19 summarized oral testimony in the official minutes of the Arkansas Legislative
20 Council or Joint Budget Committee which relate to its passage and adoption.

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22 SECTION 15. CODE. All provisions of this Act of a general and
23 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
24 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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

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32 SECTION 17. GENERAL REPEALER. All laws and parts of laws in conflict
33 with this Act are hereby repealed.

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35 SECTION 18. EMERGENCY CLAUSE. It is hereby found and determined by the

1 Eightieth General Assembly, that payees listed in this Act may be entitled to
2 the sums appropriated and transferred to herein, and that they have been
3 deprived of the use of these funds for a long period of time, and that
4 further delay in paying these just debts of the State would do harm to the
5 reputation of the State of Arkansas. Therefore, an emergency is hereby
6 declared to exist and this Act being necessary for the immediate preservation
7 of the public peace, health and safety shall be in full force and effect from
8 and after its passage and approval.

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/s/Rep. E. Thicksten

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