

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 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: S3/4/03
A Bill

SENATE BILL 39

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 - FOR APPROVED CLAIMS
11 AGAINST THE STATE FOR THE FISCAL YEAR ENDING JUNE
12 30, 2003; AND FOR OTHER PURPOSES.
13

Subtitle

16 AN ACT FOR THE ARKANSAS STATE CLAIMS
17 COMMISSION - APPROVED CLAIMS AGAINST THE
18 STATE APPROPRIATION FOR THE 2003 FISCAL
19 YEAR.
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES (DHS) - *DIRECTOR'S*
25 *OFFICE*. There is hereby appropriated, to the Department of Human Services -
26 *Director's Office*, to be payable from the paying account as determined by the
27 Chief Fiscal Officer of the State, for the purpose of paying claims against
28 the State of Arkansas to the payee set out herein:
29

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2002-2003</u>
(01) RELIANT ENERGY ARKLA	\$ 22,579.15
(02) KELLY SERVICES	<u>9,938.72</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 32,517.87</u>

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36 SECTION 2. APPROPRIATION - DHS - CHILDREN AND FAMILY SERVICES. There is



1 hereby appropriated, to the Department of Human Services - Division of
 2 Children and Family Services, to be payable from the paying account as
 3 determined by the Chief Fiscal Officer of the State, for the purpose of
 4 paying claims against the State of Arkansas to the payee set out herein:
 5

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2002-2003</u>
8 (01) ARKANSAS CHILDREN'S HOSPITAL	\$ 45,166.09
9 (02) TIMBER RIDGE GROUP, INC.	12,245
10 (03) RAY AND TERRY BOHON	20,000
11 (04) ARKANSAS BAPTIST CHILDREN'S HOMES & 12 FAMILY MINISTRIES	45,006.83
13 (05) SOUTH ARKANSAS YOUTH SERVICES, INC.	11,264.12
14 (06) JAMES BAUMBACH	<u>99,000</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$ 232,682.04</u>

16
 17 SECTION 3. APPROPRIATION - DHS - CHILDREN AND FAMILY SERVICES. There is
 18 hereby appropriated, to the Department of Human Services - Division of
 19 Children and Family Services, to be payable from the Children and Family
 20 Services Fund Account, for the purpose of paying claims against the State of
 21 Arkansas to the payee set out herein:
 22

23 ITEM	FISCAL YEAR
24 <u>NO.</u>	<u>2002-2003</u>
25 (01) TREATMENT HOMES, INC.	\$ 17,682.03
26 (02) MAXIMUS	9,850.64
27 (03) WESTERN ARKANSAS COUNSELING & GUIDANCE 28 CENTER	<u>59,904</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$ 87,436.67</u>

30
 31 SECTION 4. APPROPRIATION - DHS - *CHILD CARE AND EARLY CHILDHOOD EDUCATION*.
 32 There is hereby appropriated, to the Department of Human Services - Division
 33 of *Child Care and Early Childhood Education*, to be payable from the federal
 34 funds as designated by the Chief Fiscal Officer of the State, for the purpose
 35 of paying claims against the State of Arkansas to the payee set out herein:
 36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2002-2003</u>
(01) UAMS - ECCO HEAD START PROGRAM	<u>\$ 88,994.6</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$ 88,994.6</u></u>

SECTION 5. APPROPRIATION - DHS - DIVISION OF YOUTH SERVICES. There is hereby appropriated, to the Department of Human Services - Division of Youth Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2002-2003</u>
(01) BILL AND SHERRIE AUBUCHON	<u>\$ 130,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$ 130,000</u></u>

SECTION 6. APPROPRIATION - DHS - 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 the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2002-2003</u>
(01) PHYLLIS ANN JOHNSON	<u>\$ 11,809.7</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$ 11,809.7</u></u>

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

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2002-2003</u>

1	(01) ROMES INTRASTATE VAN SERVICE, INC.	\$ 263,400
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 263,400</u>

3
4 SECTION 8. APPROPRIATION - DEPARTMENT OF CORRECTION. There is hereby
5 appropriated, to the Department of Correction, to be payable from the
6 Department of Correction Farm Fund, for the purpose of paying claims against
7 the State of Arkansas to the payee set out herein:

9	ITEM	FISCAL YEAR
10	<u>NO.</u>	<u>2002-2003</u>
11	(01) LINCOLN COUNTY TAX COLLECTOR	\$ 23,723.12
12	TOTAL AMOUNT APPROPRIATED	<u>\$ 23,723.12</u>

13
14 SECTION 9. APPROPRIATION - DEPARTMENT OF INFORMATION SYSTEMS. There is
15 hereby appropriated, to the Department of Information Systems, to be payable
16 from the Department of Information Systems Revolving Fund, for the purpose of
17 paying claims against the State of Arkansas to the payee set out herein:

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2002-2003</u>
21	(01) COMPUTER ASSOCIATES	12,188.12
22	(02) BRIGHTSTAR	<u>12,065.00</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$ 24,253.12</u>

24
25 SECTION 10. APPROPRIATION - DISABILITY DETERMINATION FOR SOCIAL SECURITY.
26 There is hereby appropriated, to the State Department for Social Security
27 Administration Disability Determination, to be payable from the federal funds
28 as designated by the Chief Fiscal Officer of the State, for the purpose of
29 paying claims against the State of Arkansas to the payee set out herein:

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2002-2003</u>
33	(01) SMART CORPORATION	\$ 11,510.25
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 11,510.25</u>

35
36 SECTION 11. APPROPRIATION - DEPARTMENT OF FINANCE AND ADMINISTRATION

1 (DFA). There is hereby appropriated, to the Department of Finance and
 2 Administration - *Revenue Services Division*, to be payable from the Corporate
 3 Income Tax Withholding Fund, for the purpose of paying claims against the
 4 State of Arkansas to the payee set out herein:

5

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2002-2003</u>
8 (01) ALLEN-BRADLEY CO. INC.	\$ 14,614
9 (02) TERRA INTERNATIONAL	<u>17,000</u>
10 TOTAL AMOUNT APPROPRIATED	<u>\$ 31,614</u>

11

12 SECTION 12. APPROPRIATION - DFA - REVENUE SERVICES DIVISION. There is
 13 hereby appropriated, to the Department of Finance and Administration -
 14 Revenue Services Division, to be payable from the Miscellaneous Revolving
 15 Fund, for the purpose of paying claims against the State of Arkansas to the
 16 payee set out herein:

17

18 ITEM	FISCAL YEAR
19 <u>NO.</u>	<u>2002-2003</u>
20 (01) DELL COMPUTER CORPORATION	\$ 19,464.12
21 (02) TEXLON CORPORATION	8,000
22 (03) TEXLON CORPORATION	18,024
23 (04) PRINCIPAL MUTUAL LIFE INSURANCE	
24 COMPANY	47,732
25 (05) PHILLIPS FOOD CENTERS	119,021
26 (06) LUCENT TECHNOLOGIES	<u>15,147</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$ 227,388.12</u>

28

29 SECTION 13. APPROPRIATION - ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT
 30 (AHTD). There is hereby appropriated, to the Arkansas State Highway and
 31 Transportation Department, to be payable from the State Highway and
 32 Transportation Department Fund, for the purpose of paying claims against the
 33 State of Arkansas to the payee set out herein:

34

35 ITEM	FISCAL YEAR
36 <u>NO.</u>	<u>2002-2003</u>

1	(01)	JOHNNY AND BERNADINE JONES	\$	10,000
2	(02)	CAMERON CONSTRUCTION		40,500
3	(03)	LESLIE BONDS		20,000
4	(04)	T & N ELECTRIC		25,000
5	(05)	SANDRA BIGGS		<u>775,000</u>
6		TOTAL AMOUNT APPROPRIATED	\$	<u>870,500</u>

7
 8 SECTION 14. APPROPRIATION - ARKANSAS STATE POLICE. There is hereby
 9 appropriated, to the Department of Arkansas State Police, to be payable from
 10 the Department of Arkansas State Police Fund, for the purpose of paying
 11 claims against the State of Arkansas to the payee set out herein:
 12

13	ITEM		FISCAL YEAR
14	<u>NO.</u>		<u>2002-2003</u>
15	(01)	MELISSA MURPHY	\$ <u>10,000</u>
16		TOTAL AMOUNT APPROPRIATED	\$ <u>10,000</u>

17
 18 SECTION 15. APPROPRIATION - ARKANSAS TEACHER RETIREMENT SYSTEM. There is
 19 hereby appropriated, to the Arkansas Teacher Retirement System, to be payable
 20 from the Teacher Retirement Fund, for the purpose of paying claims against
 21 the State of Arkansas to the payee set out herein:
 22

23	ITEM		FISCAL YEAR
24	<u>NO.</u>		<u>2002-2003</u>
25	(01)	TOM FERSTL	\$ <u>16,863.25</u>
26		TOTAL AMOUNT APPROPRIATED	\$ <u>16,863.25</u>

27
 28 SECTION 16. APPROPRIATION - DEPARTMENT OF HEALTH. There is hereby
 29 appropriated, to the Department of Health, to be payable from the Public
 30 Health Fund, for the purpose of paying claims against the State of Arkansas
 31 to the payee set out herein:
 32

33	ITEM		FISCAL YEAR
34	<u>NO.</u>		<u>2002-2003</u>
35	(01)	COPY SYSTEMS	\$ <u>9,978.66</u>
36		TOTAL AMOUNT APPROPRIATED	\$ <u>9,978.66</u>

1
 2 SECTION 17. APPROPRIATION - ARKANSAS INSURANCE DEPARTMENT. There is hereby
 3 appropriated, to the State Insurance Department, to be payable from the
 4 Miscellaneous Revolving Fund, for the purpose of paying claims against the
 5 State of Arkansas to the payee set out herein:
 6

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2002-2003</u>
9 (01) HIGHLANDS INSURANCE COMPANY	\$ <u>8,766</u>
10 TOTAL AMOUNT APPROPRIATED	\$ <u><u>8,766</u></u>

11
 12 SECTION 18. APPROPRIATION - ARKANSAS DEPARTMENT OF COMMUNITY CORRECTIONS.
 13 There is hereby appropriated, to the Department of Community Correction, to
 14 be payable from the Department of Community Correction Fund Account, for the
 15 purpose of paying claims against the State of Arkansas to the payee set out
 16 herein:
 17

18 ITEM	FISCAL YEAR
19 <u>NO.</u>	<u>2002-2003</u>
20 (01) RELIANT ENERGY ARKLA	\$ <u>18,793.65</u>
21 TOTAL AMOUNT APPROPRIATED	\$ <u><u>18,793.65</u></u>

22
 23 SECTION 19. APPROPRIATION - ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY.
 24 There is hereby appropriated, to the Arkansas Department of Environmental
 25 Quality, to be payable from the federal funds as designated by the Chief
 26 Fiscal Officer of the State, for the purpose of paying claims against the
 27 State of Arkansas to the payee set out herein:
 28

29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2002-2003</u>
31 (01) BOARD OF TRUSTEES, UNIVERSITY OF	
32 ARKANSAS	\$ <u>10,000</u>
33 TOTAL AMOUNT APPROPRIATED	\$ <u><u>10,000</u></u>

34
 35 SECTION 20. APPROPRIATION - ARKANSAS STATE UNIVERSITY - BEEBE. There is
 36 hereby appropriated, to the Arkansas State University - Beebe, to be payable

1 from the Arkansas State University - Beebe Fund, for the purpose of paying
2 claims against the State of Arkansas to the payee set out herein:

ITEM NO.	FISCAL YEAR 2002-2003
6 (01) BELL CONSTRUCTION	\$ 46,961
7 TOTAL AMOUNT APPROPRIATED	\$ 46,961

8
9 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
11 FORWARD. Any balance remaining in the appropriations authorized by this Act
12 that remain at the end of a fiscal year shall be carried forward into the
13 next fiscal year there to be used for the same purpose.

14
15 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER
17 OF CLAIMS. Any state agency which is affected by the allowed claim(s)
18 provided for in this Act, and whose fund for the ~~2000-2001~~ 2002-2003 fiscal
19 year are insufficient to allow for the payment of said claim(s) before June
20 30, ~~2001~~ 2003, is hereby authorized, upon certification by the Chief Fiscal
21 Officer of the State, to make payment of said claim(s) after July 1, ~~2001~~
22 2003, from funds appropriated for the ~~2001-2002~~ 2003-2004 fiscal year.

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

31
32 SECTION 24. APPROPRIATION - DFA - REVENUE SERVICES DIVISION. *There is*
33 *hereby appropriated, to the Department of Finance and Administration -*
34 *Revenue Services Division, to be payable from the Individual Income Tax*
35 *Withholding Fund, for the purpose of paying claims against the State of*
36 *Arkansas to the payee set out herein:*

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2002-2003</i></u>
<i>(01) BALL CORPORATION</i>	<u><i>\$ 8,479.35</i></u>
<i>TOTAL AMOUNT APPROPRIATED</i>	<u><u><i>\$ 8,479.35</i></u></u>

SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. For any claims in this Act appropriated to the Department of Human Services, the Clerk of the State Claims Commission shall consult with the Department of Human Services and the Chief Fiscal Officer of the State to determine the division and funds to which liability should be assigned and from which the warrants shall be drawn. The Clerk of the State Claims Commission shall initiate the appropriate transfers as may be required and as approved by the Chief Fiscal Officer of the State.

SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS FROM CASH FUNDS. In the event that any claim authorized herein is determined to be a valid claim against the State and the claim is to be paid from funds not in the State Treasury, the Clerk of the State Claims Commission shall notify the agency against which the claim is to be charged of the amount of such claims. Upon receipt of such notification, the state agency shall forthwith deliver a check to the Clerk of the State Claims Commission who shall deposit the same as a non-revenue receipt into the Miscellaneous Revolving Fund from which he shall disburse the amount of the claim to the claimant.

SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission shall not distribute any warrants prepared under the provisions of this Act for awards made by the Arkansas State Claims Commission for employment compensation claims. Upon the award by the State Claims Commission of an employment compensation claim, the Clerk of the State Claims Commission shall notify the affected state agency and the Department of Finance and Administration - Office of Personnel Management of such amounts that are due

1 and payable. The affected state agency shall then process the award through
2 the State Mechanized Payroll System.

3
4 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS
6 AWARD REPORTING. It is the intent of the General Assembly that when any state
7 agency, board, commission or institution of higher education admits liability
8 to a claim filed with the State Claims Commission and the claim involves a
9 contract with a state agency, board, commission or institution of higher
10 education or the claim exceeds seven thousand five hundred dollars (\$7,500)
11 that such agency, board, commission or institution of higher education file a
12 written report thereof to the Litigation Subcommittee of the Legislative
13 Council. Such a report shall include a concise statement of facts with an
14 explanation of the agency's liability. Provided further, such report shall
15 be filed with the Litigation Subcommittee within thirty (30) days after the
16 claim has been adjudicated by the State Claims Commission.

17
18 SECTION 29. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
19 by this act shall be limited to the appropriation for such agency and funds
20 made available by law for the support of such appropriations; and the
21 restrictions of the State Purchasing Law, the General Accounting and
22 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
23 Procedures and Restrictions Act, or their successors, and other fiscal
24 control laws of this State, where applicable, and regulations promulgated by
25 the Department of Finance and Administration, as authorized by law, shall be
26 strictly complied with in disbursement of said funds.

27
28 SECTION 30. LEGISLATIVE INTENT. It is the intent of the General Assembly
29 that any funds disbursed under the authority of the appropriations contained
30 in this act shall be in compliance with the stated reasons for which this act
31 was adopted, as evidenced by the Agency Requests, Executive Recommendations
32 and Legislative Recommendations contained in the budget manuals prepared by
33 the Department of Finance and Administration, letters, or summarized oral
34 testimony in the official minutes of the Arkansas Legislative Council or
35 Joint Budget Committee which relate to its passage and adoption.

36

1 SECTION 31. EMERGENCY CLAUSE. It is found and determined by the General
2 Assembly, that the Constitution of the State of Arkansas prohibits the
3 appropriation of funds for more than a two (2) year period; that the
4 effectiveness of this Act on the date of its passage and approval is
5 essential to the operation of the agency for which the appropriations in this
6 Act are provided, and that in the event of an extension of the Regular
7 Session, the delay in the effective date of this Act beyond the date of its
8 passage and approval could work irreparable harm upon the proper
9 administration and provision of essential governmental programs. Therefore,
10 an emergency is hereby declared to exist and this Act being necessary for the
11 immediate preservation of the public peace, health and safety shall be in
12 full force and effect from and after the date of its passage and approval.

13 If the bill is neither approved nor vetoed by the Governor, it shall become
14 effective on the expiration of the period of time during which the Governor
15 may veto the bill. If the bill is vetoed by the Governor and the veto is
16 overridden, it shall become effective on the date the last house overrides
17 the veto.

18
19 */s/ Joint Budget Committee*
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