

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 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 502

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO PAY APPROVED
10 CLAIMS AGAINST THE STATE FOR THE ARKANSAS STATE
11 CLAIMS COMMISSION FOR THE FISCAL YEAR ENDING JUNE
12 30, 2005; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE ARKANSAS STATE CLAIMS
16 COMMISSION - APPROVED CLAIMS
17 APPROPRIATION FOR THE 2005 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATION - DEPARTMENT OF FINANCE AND ADMINISTRATION -
24 REVENUE DIVISION. There is hereby appropriated, to the Department of Finance
25 and Administration - Revenue Services Division, to be payable from the
26 Miscellaneous Revolving Fund, for the purpose of paying claims against the
27 State of Arkansas to the payee set out herein:
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29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2004-2005</u>
31 (01) VERIZON LONG DISTANCE	\$ 12,262.19
32 (02) VERIZON SELECT SERVICES, INC.	37,764.00
33 (03) COLLEGE BOOKSTORE C/O	
34 AMERITAR SERVICES, INC.	17,663.00
35 (04) TENNECO AUTOMOTIVE	<u>97,913.91</u>
36 TOTAL AMOUNT APPROPRIATED	<u>\$ 165,603.10</u>



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SECTION 2. 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 Corporate 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>2004-2005</u>
(01) FASCO INDUSTRIES, INC.	<u>\$ 32,500.00</u>

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 the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2004-2005</u>
(01) BANK OF AMERICA	<u>\$ 42,748.05</u>

SECTION 4. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - ADMINISTRATIVE 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 the purpose of paying claims against the State of Arkansas to the payee set out herein of the Department of Human Services for the fiscal year ending June 30, 2005, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2004-2005</u>
(01) ALL AMERICAN POLY	<u>\$ 10,229</u>

SECTION 5. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - DIVISION OF CHILDREN AND FAMILY SERVICES. There is hereby appropriated, to the Department of Human Services - Division of Children and Family Services, to be payable from the Children and Family Services Fund Account, for the purpose of paying

1 claims against the State of Arkansas to the payee set out herein:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2004-2005</u>
5 (01) ARKANSAS SUPPORT NETWORK	\$ <u>37,822.27</u>

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7 SECTION 6. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - DIVISION OF
8 DEVELOPMENTAL DISABILITIES. There is hereby appropriated, to the Department
9 of Human Services - Division of Developmental Disabilities Services, to be
10 payable from the paying account as determined by the Chief Fiscal Officer of
11 the State, for the purpose of paying claims against the State of Arkansas to
12 the payee set out herein:

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14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2004-2005</u>
16 (01) PARTNERS - UNIVERSITY OF ARKANSAS 17 FOR MEDICAL SCIENCES	\$ <u>16,042.00</u>

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19 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
21 FORWARD. Any balance remaining in the appropriations authorized by this Act
22 that remain at the end of a fiscal year shall be carried forward into the
23 next fiscal year there to be used for the same purpose.

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25 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER
27 OF CLAIMS. Any state agency which is affected by the allowed claim(s)
28 provided for in this Act, and whose fund for the ~~2002-2003~~ 2004-2005 fiscal
29 year are insufficient to allow for the payment of said claim(s) before June
30 30, ~~2003~~ 2005, is hereby authorized, upon certification by the Chief Fiscal
31 Officer of the State, to make payment of said claim(s) after July 1, ~~2003~~
32 2005, from funds appropriated for the ~~2003-2004~~ 2005-2006 fiscal year.

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34 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
36 DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made

1 the disbursing officer for the purpose of paying the claims appropriated by
2 this Act. The Clerk of the State Claims Commission is hereby authorized to
3 receive all warrants prepared under the provisions of this Act from the
4 Auditor of the State and to distribute same to the claimants.

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6 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
8 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated
9 to the Department of Human Services, the Clerk of the State Claims Commission
10 shall consult with the Department of Human Services and the Chief Fiscal
11 Officer of the State to determine the division and funds to which liability
12 should be assigned and from which the warrants shall be drawn. The Clerk of
13 the State Claims Commission shall initiate the appropriate transfers as may
14 be required and as approved by the Chief Fiscal Officer of the State.

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16 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS
18 FROM CASH FUNDS. In the event that any claim authorized herein is determined
19 to be a valid claim against the State and the claim is to be paid from funds
20 not in the State Treasury, the Clerk of the State Claims Commission shall
21 notify the agency against which the claim is to be charged of the amount of
22 such claims. Upon receipt of such notification, the state agency shall
23 forthwith deliver a check to the Clerk of the State Claims Commission who
24 shall deposit the same as a non-revenue receipt into the Miscellaneous
25 Revolving Fund from which he shall disburse the amount of the claim to the
26 claimant.

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28 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
30 EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission
31 shall not distribute any warrants prepared under the provisions of this Act
32 for awards made by the Arkansas State Claims Commission for employment
33 compensation claims. Upon the award by the State Claims Commission of an
34 employment compensation claim, the Clerk of the State Claims Commission shall
35 notify the affected state agency and the Department of Finance and
36 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.

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4 SECTION 13. 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 ten thousand dollars (\$10,000) that such
11 agency, board, commission or institution of higher education file a written
12 report thereof to the Litigation Subcommittee of the Legislative Council.
13 Such a report shall include a concise statement of facts with an explanation
14 of the agency's liability. Provided further, such report shall be filed with
15 the Litigation Subcommittee within thirty (30) days after the claim has been
16 adjudicated by the State Claims Commission.

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18 SECTION 14. 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 Procurement 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.

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28 SECTION 15. 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.

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1 SECTION 16. 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.

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