

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 87th General Assembly
3 Regular Session, 2009
4

A Bill

SENATE BILL 496

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION WHICH SHALL BE
10 SUPPLEMENTAL AND IN ADDITION TO OTHER
11 APPROPRIATIONS MADE BY THE EIGHTY-SEVENTH GENERAL
12 ASSEMBLY TO PAY THE ARKANSAS STATE CLAIMS
13 COMMISSION - APPROVED CLAIMS AGAINST THE STATE
14 FOR THE FISCAL YEAR ENDING JUNE 30, 2009; AND FOR
15 OTHER PURPOSES.
16

Subtitle

17
18 AN ACT FOR THE ARKANSAS STATE CLAIMS
19 COMMISSION - ADDITIONAL APPROVED CLAIMS
20 AGAINST THE STATE - APPROPRIATION FOR
21 THE 2009 FISCAL YEAR.
22
23
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. APPROPRIATION - ARKANSAS DEPARTMENT OF HUMAN SERVICES. There is
28 hereby appropriated, to the Department of Human Services, to be payable from
29 the paying account as determined by the Chief Fiscal Officer of the State,
30 for the purpose of paying claims against the State of Arkansas to the payee
31 set out herein:
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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2008-2009</u>
(01) MORRISON MANAGEMENT SPECIALISTS	<u>\$ 126,140.83</u>



1 SECTION 2. APPROPRIATION - ARKANSAS DEPARTMENT OF FINANCE AND
2 ADMINISTRATION - REVENUE SERVICES DIVISION. There is hereby appropriated, to
3 the Department of Finance and Administration - Revenue Services Division, to
4 be payable from the Miscellaneous Revolving Fund, for the purpose of paying
5 claims against the State of Arkansas to the payee set out herein:
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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2008-2009</u>
(01) CREDIT UNION ONE	<u>\$ 14,830.06</u>

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11 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER
13 OF CLAIMS. Any state agency which is affected by the allowed claim(s)
14 provided for in this Act, and whose fund for the 2008-2009 fiscal year are
15 insufficient to allow for the payment of said claim(s) before June 30, 2009,
16 is hereby authorized, upon certification by the Chief Fiscal Officer of the
17 State, to make payment of said claim(s) after July 1, 2009, from funds
18 appropriated for the 2009-2010 fiscal year.
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20 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
22 DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made
23 the disbursing officer for the purpose of paying the claims appropriated by
24 this 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 the State and to distribute same to the claimants.
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28 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
30 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated
31 to the Department of Human Services, the Clerk of the State Claims Commission
32 shall consult with the Department of Human Services and the Chief Fiscal
33 Officer of the State to determine the division and funds to which liability
34 should be assigned and from which the warrants shall be drawn. The Clerk of
35 the State Claims Commission shall initiate the appropriate transfers as may
36 be required and as approved by the Chief Fiscal Officer of the State.

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SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS DEPARTMENT OF HEALTH CLAIMS. For any claims in this Act appropriated to the Department of Health, the Clerk of the State Claims Commission shall consult with the Department of Health 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 7. 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 8. 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 and payable. The affected state agency shall then process the award through the State Mechanized Payroll System.

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS
 2 AWARD REPORTING. It is the intent of the General Assembly that when any
 3 state agency, board, commission or institution of higher education admits
 4 liability to a claim filed with the State Claims Commission and the claim
 5 involves a contract with a state agency, board, commission or institution of
 6 higher education or the claim exceeds ten thousand dollars (\$10,000) that
 7 such agency, board, commission or institution of higher education file a
 8 written report thereof to the Litigation Subcommittee of the Legislative
 9 Council. Such a report shall include a concise statement of facts with an
 10 explanation of the agency's liability. Provided further, such report shall be
 11 filed with the Litigation Subcommittee within thirty (30) days after the
 12 claim has been adjudicated by the State Claims Commission.

13

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

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24 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General Assembly
 25 that any funds disbursed under the authority of the appropriations contained
 26 in this act shall be in compliance with the stated reasons for which this act
 27 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 28 and Legislative Recommendations contained in the budget manuals prepared by
 29 the Department of Finance and Administration, letters, or summarized oral
 30 testimony in the official minutes of the Arkansas Legislative Council or
 31 Joint Budget Committee which relate to its passage and adoption.

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33 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General
 34 Assembly, that payees listed in this Act may be entitled to the sums
 35 appropriated and transferred to herein, and that they have been deprived of
 36 the use of these funds for a long period of time, and that further delay in

1 paying these just debts of the State would do harm to the reputation of the
2 State of Arkansas. Therefore, an emergency is hereby declared to exist and
3 this Act being necessary for the immediate preservation of the public peace,
4 health and safety shall be in full force and effect from and after the date
5 of its passage and approval.

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

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