

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

A Bill

SENATE BILL 538

5 By: Senator J. Jeffress
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT
10 OF FINANCE AND ADMINISTRATION - DISBURSING
11 OFFICER FOR PAYMENT OF A CLAIM FILED WITH THE
12 ARKANSAS CLAIMS COMMISSION; AND FOR OTHER
13 PURPOSES.
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Subtitle

16 AN ACT FOR THE DEPARTMENT OF FINANCE
17 AND ADMINISTRATION - DISBURSING OFFICER
18 - PAYMENT OF A CLAIM FILED WITH THE
19 ARKANSAS CLAIMS COMMISSION GENERAL
20 IMPROVEMENT APPROPRIATION.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. APPROPRIATIONS - ARKANSAS CLAIMS COMMISSION - PAYMENT OF A
27 CLAIM. There is hereby appropriated, to the Department of Finance and
28 Administration - Disbursing Officer, to be payable from the Department of
29 Community Correction Fund Account, the following:

30 (A) For payment of the Clifton Purtle Claim, the sum of\$500,000.
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32 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
33 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
34 REQUIREMENT. Within sixty (60) days of the effective date of this Act, the
35 Claims Commission shall review the Clifton Purtle vs. Arkansas Department of
36 Community Correction claim and determine, based on the merits of the claim,



1 whether there is agency liability and whether this is a just debt of the
 2 State. If the determination is affirmative, the claim shall be paid from the
 3 appropriation provided herein. The Claims Commission shall provide a written
 4 report to the Litigation Subcommittee of the Legislative Council, no later
 5 than thirty (30) days after the claim has been heard by the Claims
 6 Commission.

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 8 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
 9 obligations otherwise incurred in relation to the project or projects
 10 described herein in excess of the State Treasury funds actually available
 11 therefor as provided by law. Provided, however, that institutions and
 12 agencies listed herein shall have the authority to accept and use grants and
 13 donations including Federal funds, and to use its unobligated cash income or
 14 funds, or both available to it, for the purpose of supplementing the State
 15 Treasury funds for financing the entire costs of the project or projects
 16 enumerated herein. Provided further, that the appropriations and funds
 17 otherwise provided by the General Assembly for Maintenance and General
 18 Operations of the agency or institutions receiving appropriation herein shall
 19 not be used for any of the purposes as appropriated in this act.

20 (B) The restrictions of any applicable provisions of the State Purchasing
 21 Law, the General Accounting and Budgetary Procedures Law, the Revenue
 22 Stabilization Law and any other applicable fiscal control laws of this State
 23 and regulations promulgated by the Department of Finance and Administration,
 24 as authorized by law, shall be strictly complied with in disbursement of any
 25 funds provided by this act unless specifically provided otherwise by law.

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 27 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly
 28 that any funds disbursed under the authority of the appropriations contained
 29 in this act shall be in compliance with the stated reasons for which this act
 30 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 31 and Legislative Recommendations contained in the budget manuals prepared by
 32 the Department of Finance and Administration, letters, or summarized oral
 33 testimony in the official minutes of the Arkansas Legislative Council or
 34 Joint Budget Committee which relate to its passage and adoption.

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 36 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the
2 appropriation of funds for more than a two (2) year period; that the
3 effectiveness of this Act on July 1, 2003 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the Regular Session, the delay in the effective
6 date of this Act beyond July 1, 2003 could work irreparable harm upon the
7 proper administration and provision of essential governmental programs.
8 Therefore, an emergency is hereby declared to exist and this Act being
9 necessary for the immediate preservation of the public peace, health and
10 safety shall be in full force and effect from and after July 1, 2003.

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