

1 State of Arkansas As Engrossed: S3/24/11 S3/28/11 S3/30/11

2 88th General Assembly

A Bill

3 Regular Session, 2011

SENATE BILL 620

4

5 By: Joint Budget Committee

6

7

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO PAY THE ARKANSAS
9 STATE CLAIMS COMMISSION - ADDITIONAL APPROVED CLAIMS
10 AGAINST THE STATE FOR THE FISCAL YEAR ENDING JUNE 30,
11 2011; AND FOR OTHER PURPOSES.

12

13

14

Subtitle

15

AN ACT TO MAKE AN APPROPRIATION FOR THE
16 PAYMENT OF APPROVED CLAIMS AGAINST THE
17 STATE.

18

19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21

22 SECTION 1. APPROPRIATION - DFA - REVENUE. There is hereby
23 appropriated, to the Department of Finance and Administration - Revenue
24 Services Division, to be payable from the Corporate Income Tax Withholding
25 Fund, for the purpose of paying claims against the State of Arkansas to the
26 payee set out herein:

27

28 ITEM	FISCAL YEAR
29 <u>NO.</u>	<u>2010-2011</u>
30 (01) REO MANAGEMENT 2004, INC	<u>\$24,900.00</u>

31

32 SECTION 2. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES. There is
33 hereby appropriated, to the Department of Human Services - Division of
34 Developmental Disabilities Services, to be payable from the paying account as
35 determined by the Chief Fiscal Officer of the State, for the purpose of
36 paying claims against the State of Arkansas to the payee set out herein:



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) ELIZABETH RANDOLPH	<u>\$21,241.00</u>

SECTION 3. APPROPRIATION - DEPARTMENT OF CORRECTION. There is hereby appropriated, to the Department of Correction, to be payable from the Department of Correction Inmate Care and Custody Fund Account, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) WILLIAM JERMAINE JORDAN	<u>\$35,000.00</u>

SECTION 4. APPROPRIATION - STATE HIGHWAY AND TRANSPORTATION DEPARTMENT. There is hereby appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the State Highway and Transportation Department 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>2010-2011</u>
(01) MICHAEL B. TURNER	<u>\$250,000.00</u>

SECTION 5. APPROPRIATION - DHS - 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 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>2010-2011</u>
(01) ALLEN BRAY	<u>\$12,726.15</u>

SECTION 6. APPROPRIATION - GAME & FISH COMMISSION. There is hereby

1 appropriated, to the Arkansas State Game and Fish Commission, to be payable
2 from the Game Protection Fund, for the purpose of paying claims against the
3 State of Arkansas to the payee set out herein:

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2010-2011</i></u>
<i>(01) CLAUDE GRAVES</i>	<u><u><i>\$15,000.00</i></u></u>

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

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2010-2011</i></u>
<i>(01) MANVEL GARIBYAN</i>	<u><u><i>\$69,000.00</i></u></u>

13
14 *SECTION 8. APPROPRIATION - DEPARTMENT OF COMMUNITY CORRECTION. There*
15 *is hereby appropriated, to the Department of Community Correction, to be*
16 *payable from the Department of Community Correction Fund Account, for the*
17 *purpose of paying claims against the State of Arkansas to the payee set out*
18 *herein:*

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2010-2011</i></u>
<i>(01) CENTERPOINT ENERGY SERVICES, INC</i>	<u><u><i>\$35,242.63</i></u></u>

19
20 *SECTION 9. APPROPRIATION - DEPARTMENT OF CORRECTION. There is hereby*
21 *appropriated, to the Department of Correction, to be payable from the*
22 *Department of Correction Inmate Care and Custody Fund Account, for the*
23 *purpose of paying claims against the State of Arkansas to the payee set out*
24 *herein:*

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2010-2011</i></u>
<i>(01) TOMMY WOOD, JR.</i>	<u><u><i>\$50,000.00</i></u></u>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 10. APPROPRIATION - STATE HIGHWAY AND TRANSPORTATION DEPARTMENT. There is hereby appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the State Highway and Transportation Department Fund, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2010-2011</i></u>
<i>(01) MARY F. WELCH</i>	<u><u><i>\$37,500.00</i></u></u>

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER OF CLAIMS. Any state agency which is affected by the allowed claim(s) provided for in this Act, and whose fund for the 2010-2011 fiscal year are insufficient to allow for the payment of said claim(s) before June 30, 2011 is hereby authorized, upon certification by the Chief Fiscal Officer of the State, to make payment of said claim(s) after July 1, 2011, from funds appropriated for the 2011-2012 fiscal year.

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made the disbursing officer for the purpose of paying the claims appropriated by this Act. The Clerk of the State Claims Commission is hereby authorized to receive all warrants prepared under the provisions of this Act from the Auditor of the State and to distribute same to the claimants.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS DEPARTMENT OF HUMAN SERVICES CLAIMS. 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

1 be required and as approved by the Chief Fiscal Officer of the State.

2

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

12

13 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS
15 FROM CASH FUNDS. In the event that any claim authorized herein is determined
16 to be a valid claim against the State and the claim is to be paid from funds
17 not in the State Treasury, the Clerk of the State Claims Commission shall
18 notify the agency against which the claim is to be charged of the amount of
19 such claims. Upon receipt of such notification, the state agency shall
20 forthwith deliver a check to the Clerk of the State Claims Commission who
21 shall deposit the same as a non-revenue receipt into the Miscellaneous
22 Revolving Fund from which he shall disburse the amount of the claim to the
23 claimant.

24

25 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
27 EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission
28 shall not distribute any warrants prepared under the provisions of this Act
29 for awards made by the Arkansas State Claims Commission for employment
30 compensation claims. Upon the award by the State Claims Commission of an
31 employment compensation claim, the Clerk of the State Claims Commission shall
32 notify the affected state agency and the Department of Finance and
33 Administration - Office of Personnel Management of such amounts that are due
34 and payable. The affected state agency shall then process the award through
35 the State Mechanized Payroll System.

36

1 SECTION 17. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
2 authorized by this act shall be limited to the appropriation for such agency
3 and funds made available by law for the support of such appropriations; and
4 the restrictions of the State Procurement Law, the General Accounting and
5 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
6 Procedures and Restrictions Act, or their successors, and other fiscal
7 control laws of this State, where applicable, and regulations promulgated by
8 the Department of Finance and Administration, as authorized by law, shall be
9 strictly complied with in disbursement of said funds.

10
11 SECTION 18. LEGISLATIVE INTENT. It is the intent of the General
12 Assembly that any funds disbursed under the authority of the appropriations
13 contained in this act shall be in compliance with the stated reasons for
14 which this act was adopted, as evidenced by the Agency Requests, Executive
15 Recommendations and Legislative Recommendations contained in the budget
16 manuals prepared by the Department of Finance and Administration, letters, or
17 summarized oral testimony in the official minutes of the Arkansas Legislative
18 Council or Joint Budget Committee which relate to its passage and adoption.

19
20 SECTION 19. EMERGENCY CLAUSE. It is found and determined by the
21 General Assembly, that payees listed in this Act may be entitled to the sums
22 appropriated and transferred to herein, and that they have been deprived of
23 the use of these funds for a long period of time, and that further delay in
24 paying these just debts of the state would do harm to the reputation of the
25 State of Arkansas. Therefore, an emergency is hereby declared to exist and
26 this Act being necessary for the immediate preservation of the public peace,
27 health and safety shall be in full force and effect from and after the date
28 of its passage and approval.
29 If the bill is neither approved nor vetoed by the Governor, it shall become
30 effective on the expiration of the period of time during which the Governor
31 may veto the bill. If the bill is vetoed by the Governor and the veto is
32 overridden, it shall become effective on the date the last house overrides
33 the veto.

34
35 /s/Joint Budget Committee

APPROVED: 04/04/2011