

1 State of Arkansas *As Engrossed: H3/13/23 H4/5/23*
2 94th General Assembly **A Bill**
3 Regular Session, 2023

HOUSE BILL 1466

4
5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION WHICH SHALL BE
9 SUPPLEMENTAL AND IN ADDITION TO OTHER APPROPRIATIONS
10 MADE BY THE NINETY-FOURTH GENERAL ASSEMBLY TO PAY
11 APPROVED CLAIMS; AND FOR OTHER PURPOSES.
12

13 **Subtitle**

14 AN ACT FOR THE ARKANSAS STATE CLAIMS
15 COMMISSION APPROPRIATION FOR THE 2022-
16 2023 FISCAL YEAR.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. APPROPRIATION. There is hereby appropriated, to the
22 Department of Corrections, to be payable from the Division of Correction
23 Inmate Care and Custody Fund Account, for the purpose of paying claims
24 against the State of Arkansas to the payee set out herein:
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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(1) GREG GASAWAY AND LANCE GASAWAY D/B/A	
G&L GASAWAY FARMS	<u>\$27,000.00</u>

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31 SECTION 2. APPROPRIATION. There is hereby appropriated, to the
32 Department of Finance and Administration - Revenue Services Division, to be
33 payable from the Corporate Income Tax Withholding Fund, for the purpose of
34 paying claims against the State of Arkansas to the payee set out herein:
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ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2022-2023</u>
2	(1) AMERICAN AIR LIQUIDE HOLDINGS, INC.	\$188,689.00
3	(2) ROCKET SOFTWARE, INC.	<u>52,578.00</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$241,267.00</u></u>

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6 SECTION 3. APPROPRIATION. There is hereby appropriated, to the
7 Department of Finance and Administration - Revenue Services Division, to be
8 payable from the Individual Income Tax Withholding Fund, for the purpose of
9 paying claims against the State of Arkansas to the payee set out herein:

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11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2022-2023</u>
13	(1) ERIC SMIDT AND SUSAN SMIDT	\$69,424.00
14	(2) WALDEMAR EICHMANN AND CHLOE EICHMANN	26,804.63
15	(3) RECTOR AND VISITORS OF THE UNIVERSITY OF VIRGINIA/ 16 PAUL GRISDALE	<u>2,092,820.96</u>
17	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,189,049.59</u></u>

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19 SECTION 4. APPROPRIATION. There is hereby appropriated, to the
20 Department of Finance and Administration - Revenue Services Division, to be
21 payable from the Miscellaneous Revolving Fund, for the purpose of paying
22 claims against the State of Arkansas to the payee set out herein:

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24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2022-2023</u>
26	(1) NUCOR CORPORATION	\$392,623.29
27	(2) CARL ZEISS MEDITEC, INC.	44,163.00
28	(3) OPTIV SECURITY	40,224.00
29	(4) SG GAMING, INC.	27,191.09
30	(5) NWA BUILDERS, LLC	<u>26,118.83</u>
31	TOTAL AMOUNT APPROPRIATED	<u><u>\$530,320.21</u></u>

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33 SECTION 5. APPROPRIATION. There is hereby appropriated, to the
34 University of Arkansas for Medical Sciences, to be payable from the
35 University of Arkansas Medical Center Fund, for the purpose of paying claims
36 against the State of Arkansas to the payee set out herein:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(1) RICH A PARIKH	\$25,912.80
(2) MATTHEW MILLER	<u>22,236.36</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$48,149.16</u></u>

SECTION 6. APPROPRIATION. There is hereby appropriated, to the University of Arkansas - Fayetteville, to be payable from the University of Arkansas 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>2022-2023</u>
(1) J.A. RIGGS TRACTOR CO.	<u><u>\$35,029.49</u></u>

SECTION 7. APPROPRIATION. 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>2022-2023</u>
(1) SHIRLEY L. ELDER	<u><u>\$16,542.85</u></u>

SECTION 8. APPROPRIATION. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the federal funds as designated 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>2022-2023</u>
(1) CRAWFORD-SEBASTIAN COUNTY DEVELOPMENT COUNCIL	<u><u>\$98,382.45</u></u>

SECTION 9. APPROPRIATION. There is hereby appropriated, to the Office

1 of the Treasurer of State, to be payable from the Municipal Aid Fund, for the
2 purpose of paying claims against the State of Arkansas to the payee set out
3 herein:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(1) CITY OF CALICO ROCK	<u>\$98,624.22</u>

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9 SECTION 10. APPROPRIATION. There is hereby appropriated, to the
10 Department of Parks, Heritage, and Tourism, to be payable from the cash fund
11 deposited in the State Treasury as determined by the Chief Fiscal Officer of
12 the State, for the purpose of paying claims against the State of Arkansas to
13 the payee set out herein:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(1) CHAD MORROW	<u>\$30,000.00</u>

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19 SECTION 11. APPROPRIATION. There is hereby appropriated, to the
20 Department of Transformation and Shared Services, to be payable from the cash
21 funds as defined by Arkansas Code 19-4-801, for the purpose of paying claims
22 against the State of Arkansas to the payee set out herein:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(1) JESSICA MIDDLETON	<u>\$17,566.80</u>

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28 SECTION 12. APPROPRIATION. There is hereby appropriated, to the
29 Arkansas Department of Transportation, to be payable from the State Highway
30 and Transportation Department Fund, for the purpose of paying claims against
31 the State of Arkansas to the payee set out herein:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2022-2023</u>
(1) JUDY WAGES	\$20,000.00
(2) CHARLES MCRAVEN AND LINDA MCRAVEN	140,000.00

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1	(3) ANTHONY ADDISON	200,000.00
2	(4) JAMES CONSTRUCTION GROUP, LLC	294,191.60
3	(5) DEBBIE BROWN, AS ADMINISTRATRIX OF THE ESTATE OF	
4	CHRIS BROWN, AND JOE BROWN	<u>1,992,838.77</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$2,647,030.37</u>

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7 SECTION 13. APPROPRIATION. There is hereby appropriated, to the

8 University of Arkansas for Medical Sciences, to be payable from the

9 University of Arkansas Medical Center Fund, for the purpose of paying claims

10 against the State of Arkansas to the payee set out herein:

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12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2022-2023</u>
14	(1) SANDRA MCNAMEE	<u>\$252,500</u>

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16 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

18 REIMBURSEMENT AND REFUND TO EXPENDITURE. Funds allocated and expended by any

19 Agency, Authority, Board, Commission, Council, Department, Division, Office,

20 or Subdivision of any state agency for the payment of approved claims

21 adjudicated through the State Claims Commission and approved by the Arkansas

22 Legislative Council or Joint Budget Committee when the General Assembly is in

23 session, shall be reimbursed from the funds from which the Agency, Authority,

24 Board, Commission, Council, Department, Division, Office, or Subdivision

25 draws its support.

26 The monies shall be deposited no later than June 30 of the following

27 fiscal year from which the original payment of claim expense was incurred by

28 the state agency, as a refund to expenditure, to the credit of the fund from

29 which the original expenditure was made.

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31 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER

33 OF CLAIMS. Any state agency which is affected by the allowed claim(s)

34 provided for in this Act, and whose fund for the ~~2021-2022~~ 2022-2023 fiscal

35 year are insufficient to allow for the payment of said claim(s) before June

36 30, ~~2022~~ 2023, is hereby authorized, upon certification by the Chief Fiscal

1 Officer of the State, to make payment of said claim(s) after July 1, ~~2022~~
2 2023, from funds appropriated for the ~~2022-2023~~ 2023-2024 fiscal year.

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4 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
6 DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made
7 the disbursing officer for the purpose of paying the claims appropriated by
8 this Act. The Clerk of the State Claims Commission is hereby authorized to
9 receive all warrants prepared under the provisions of this Act from the
10 Auditor of State and to distribute same to the claimants.

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12 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
14 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated
15 to the Department of Human Services, the Clerk of the State Claims Commission
16 shall consult with the Department of Human Services and the Chief Fiscal
17 Officer of the State to determine the division and funds to which liability
18 should be assigned and from which the warrants shall be drawn. The Clerk of
19 the State Claims Commission shall initiate the appropriate transfers as may
20 be required and as approved by the Chief Fiscal Officer of the State.

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22 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
24 DEPARTMENT OF HEALTH CLAIMS. For any claims in this Act appropriated to the
25 Department of Health, the Clerk of the State Claims Commission shall consult
26 with the Department of Health and the Chief Fiscal Officer of the State to
27 determine the division and funds to which liability should be assigned and
28 from which the warrants shall be drawn. The Clerk of the State Claims
29 Commission shall initiate the appropriate transfers as may be required and as
30 approved by the Chief Fiscal Officer of the State.

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32 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS
34 FROM CASH FUNDS. In the event that any claim authorized herein is determined
35 to be a valid claim against the State and the claim is to be paid from funds
36 not in the State Treasury, the Clerk of the State Claims Commission shall

1 notify the agency against which the claim is to be charged of the amount of
2 such claims. Upon receipt of such notification, the state agency shall
3 forth-with deliver a check to the Clerk of the State Claims Commission who
4 shall deposit the same as a nonrevenue receipt into the Miscellaneous
5 Revolving Fund from which he shall disburse the amount of the claim to the
6 claimant.

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8 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

10 EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission
11 shall not distribute any warrants prepared under the provisions of this Act
12 for awards made by the Arkansas State Claims Commission for employment
13 compensation claims. Upon the award by the State Claims Commission of an
14 employment compensation claim, the Clerk of the State Claims Commission shall
15 notify the affected state agency and the Department of Finance and
16 Administration - Office of Personnel Management of such amounts that are due
17 and payable. The affected state agency shall then process the award through
18 the State Mechanized Payroll System.

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

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30 SECTION 22. LEGISLATIVE INTENT. It is the intent of the General
31 Assembly that any funds disbursed under the authority of the appropriations
32 contained in this act shall be in compliance with the stated reasons for
33 which this act was adopted, as evidenced by the Agency Requests, Executive
34 Recommendations and Legislative Recommendations contained in the budget
35 manuals prepared by the Department of Finance and Administration, letters, or
36 summarized oral testimony in the official minutes of the Arkansas Legislative

1 Council or Joint Budget Committee which relate to its passage and adoption.

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3 SECTION 23. EMERGENCY CLAUSE. It is found and determined by the
4 General Assembly, that payees listed in this Act may be entitled to the sums
5 appropriated and transferred to herein, and that they have been deprived of
6 the use of these funds for a long period of time, and that further delay in
7 paying these just debts of the state would do harm to the reputation of the
8 State of Arkansas. Therefore, an emergency is hereby declared to exist and
9 this Act being necessary for the immediate preservation of the public peace,
10 health and safety shall be in full force and effect from and after the date
11 of its passage and approval.

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

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18 */s/Joint Budget Committee*

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21 **APPROVED: 4/13/23**

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