

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 620

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION TO PAY THE
9 ARKANSAS STATE CLAIMS COMMISSION - ADDITIONAL
10 APPROVED CLAIMS AGAINST THE STATE FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2011; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT TO MAKE AN APPROPRIATION FOR THE
16 PAYMENT OF APPROVED CLAIMS AGAINST THE
17 STATE.
18
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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 - DFA - REVENUE. There is hereby
24 appropriated, to the Department of Finance and Administration - Revenue
25 Services Division, to be payable from the Corporate Income Tax Withholding
26 Fund, for the purpose of paying claims against the State of Arkansas to the
27 payee set out herein:
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| 29 ITEM | FISCAL YEAR |
|----------------------------------|--------------------|
| 30 <u>NO.</u> | <u>2010-2011</u> |
| 31 (01) REO MANAGEMENT 2004, INC | <u>\$24,900.00</u> |

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



1 paying 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>2010-2011</u> |
| 5 (01) ELIZABETH RANDOLPH | <u>\$21,241.00</u> |

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

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| 13 ITEM | FISCAL YEAR |
|---------------------------------|--------------------|
| 14 <u>NO.</u> | <u>2010-2011</u> |
| 15 (01) WILLIAM JERMAINE JORDAN | <u>\$35,000.00</u> |

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17 SECTION 4. APPROPRIATION - STATE HIGHWAY AND TRANSPORTATION DEPARTMENT.
18 There is hereby appropriated, to the Arkansas State Highway and
19 Transportation Department, to be payable from the State Highway and
20 Transportation Department Fund, for the purpose of paying claims against the
21 State of Arkansas to the payee set out herein:

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| 23 ITEM | FISCAL YEAR |
|---------------------------|---------------------|
| 24 <u>NO.</u> | <u>2010-2011</u> |
| 25 (01) MICHAEL B. TURNER | <u>\$250,000.00</u> |

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27 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER
29 OF CLAIMS. Any state agency which is affected by the allowed claim(s)
30 provided for in this Act, and whose fund for the 2010-2011 fiscal year are
31 insufficient to allow for the payment of said claim(s) before June 30, 2011
32 is hereby authorized, upon certification by the Chief Fiscal Officer of the
33 State, to make payment of said claim(s) after July 1, 2011, from funds
34 appropriated for the 2011-2012 fiscal year.

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36 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 2 DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made
 3 the disbursing officer for the purpose of paying the claims appropriated by
 4 this Act. The Clerk of the State Claims Commission is hereby authorized to
 5 receive all warrants prepared under the provisions of this Act from the
 6 Auditor of the State and to distribute same to the claimants.

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

17
 18 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
 20 DEPARTMENT OF HEALTH CLAIMS. For any claims in this Act appropriated to the
 21 Department of Health, the Clerk of the State Claims Commission shall consult
 22 with the Department of Health and the Chief Fiscal Officer of the State to
 23 determine the division and funds to which liability should be assigned and
 24 from which the warrants shall be drawn. The Clerk of the State Claims
 25 Commission shall initiate the appropriate transfers as may be required and as
 26 approved by the Chief Fiscal Officer of the State.

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 28 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS
 30 FROM CASH FUNDS. In the event that any claim authorized herein is determined
 31 to be a valid claim against the State and the claim is to be paid from funds
 32 not in the State Treasury, the Clerk of the State Claims Commission shall
 33 notify the agency against which the claim is to be charged of the amount of
 34 such claims. Upon receipt of such notification, the state agency shall
 35 forthwith deliver a check to the Clerk of the State Claims Commission who
 36 shall deposit the same as a non-revenue receipt into the Miscellaneous

1 Revolving Fund from which he shall disburse the amount of the claim to the
2 claimant.

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4 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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16 SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
17 authorized by this act shall be limited to the appropriation for such agency
18 and funds made available by law for the support of such appropriations; and
19 the restrictions of the State Procurement Law, the General Accounting and
20 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
21 Procedures and Restrictions Act, or their successors, and other fiscal
22 control laws of this State, where applicable, and regulations promulgated by
23 the Department of Finance and Administration, as authorized by law, shall be
24 strictly complied with in disbursement of said funds.

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

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35 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the
36 General Assembly, that payees listed in this Act may be entitled to the sums

1 appropriated and transferred to herein, and that they have been deprived of
2 the use of these funds for a long period of time, and that further delay in
3 paying these just debts of the state would do harm to the reputation of the
4 State of Arkansas. Therefore, an emergency is hereby declared to exist and
5 this Act being necessary for the immediate preservation of the public peace,
6 health and safety shall be in full force and effect from and after the date
7 of its passage and approval.

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

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