

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

As Engrossed: S3/24/11
A Bill

SENATE BILL 620

5 By: Joint Budget Committee
6

7 **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

15 **Subtitle**

16 AN ACT TO MAKE AN APPROPRIATION FOR THE
17 PAYMENT OF APPROVED CLAIMS AGAINST THE
18 STATE.
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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:
28

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:

22

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

26

27 *SECTION 5. APPROPRIATION - DHS - CHILDREN AND FAMILY SERVICES. There*
28 *is hereby appropriated, to the Department of Human Services - Division of*
29 *Children and Family Services, to be payable from the paying account as*
30 *determined by the Chief Fiscal Officer of the State, for the purpose of*
31 *paying claims against the State of Arkansas to the payee set out herein:*

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33 <i>ITEM</i>	<i>FISCAL YEAR</i>
34 <i><u>NO.</u></i>	<i><u>2010-2011</u></i>
35 (01) ALLEN BRAY	<i><u>\$12,726.15</u></i>

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1 SECTION 6. APPROPRIATION - GAME & FISH COMMISSION. There is hereby
2 appropriated, to the Arkansas State Game and Fish Commission, to be payable
3 from the Game Protection Fund, for the purpose of paying claims against the
4 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>

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10 SECTION 7. APPROPRIATION - ARKANSAS STATE POLICE. There is hereby
11 appropriated, to the Department of Arkansas State Police, to be payable from
12 the Department of Arkansas State Police Fund, for the purpose of paying
13 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>

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15 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER
17 OF CLAIMS. Any state agency which is affected by the allowed claim(s)
18 provided for in this Act, and whose fund for the 2010-2011 fiscal year are
19 insufficient to allow for the payment of said claim(s) before June 30, 2011
20 is hereby authorized, upon certification by the Chief Fiscal Officer of the
21 State, to make payment of said claim(s) after July 1, 2011, from funds
22 appropriated for the 2011-2012 fiscal year.
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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.
30 DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made
31 the disbursing officer for the purpose of paying the claims appropriated by
32 this Act. The Clerk of the State Claims Commission is hereby authorized to
33 receive all warrants prepared under the provisions of this Act from the
34 Auditor of the State and to distribute same to the claimants.
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36 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
2 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated
3 to the Department of Human Services, the Clerk of the State Claims Commission
4 shall consult with the Department of Human Services and the Chief Fiscal
5 Officer of the State to determine the division and funds to which liability
6 should be assigned and from which the warrants shall be drawn. The Clerk of
7 the State Claims Commission shall initiate the appropriate transfers as may
8 be required and as approved by the Chief Fiscal Officer of the State.

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

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20 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS
22 FROM CASH FUNDS. In the event that any claim authorized herein is determined
23 to be a valid claim against the State and the claim is to be paid from funds
24 not in the State Treasury, the Clerk of the State Claims Commission shall
25 notify the agency against which the claim is to be charged of the amount of
26 such claims. Upon receipt of such notification, the state agency shall
27 forthwith deliver a check to the Clerk of the State Claims Commission who
28 shall deposit the same as a non-revenue receipt into the Miscellaneous
29 Revolving Fund from which he shall disburse the amount of the claim to the
30 claimant.

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32 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission
35 shall not distribute any warrants prepared under the provisions of this Act
36 for awards made by the Arkansas State Claims Commission for employment

1 compensation claims. Upon the award by the State Claims Commission of an
2 employment compensation claim, the Clerk of the State Claims Commission shall
3 notify the affected state agency and the Department of Finance and
4 Administration - Office of Personnel Management of such amounts that are due
5 and payable. The affected state agency shall then process the award through
6 the State Mechanized Payroll System.

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

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

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27 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the
28 General Assembly, that payees listed in this Act may be entitled to the sums
29 appropriated and transferred to herein, and that they have been deprived of
30 the use of these funds for a long period of time, and that further delay in
31 paying these just debts of the state would do harm to the reputation of the
32 State of Arkansas. Therefore, an emergency is hereby declared to exist and
33 this Act being necessary for the immediate preservation of the public peace,
34 health and safety shall be in full force and effect from and after the date
35 of its passage and approval.
36 If the bill is neither approved nor vetoed by the Governor, it shall become

1 effective on the expiration of the period of time during which the Governor
2 may veto the bill. If the bill is vetoed by the Governor and the veto is
3 overridden, it shall become effective on the date the last house overrides
4 the veto.

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/s/Joint Budget Committee