

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

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.

19

20

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 NO.

2010-2011

31 (01) REO MANAGEMENT 2004, INC

\$24,900.00

32

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:

2

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

6

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:

12

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

16

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:*

32

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

36

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:

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

9
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:

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

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

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

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

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>

1 (01) TOMMY WOOD, JR. \$50,000.00

2

3 SECTION 10. APPROPRIATION - STATE HIGHWAY AND TRANSPORTATION

4 DEPARTMENT. There is hereby appropriated, to the Arkansas State Highway and
5 Transportation Department, to be payable from the State Highway and
6 Transportation Department Fund, for the purpose of paying claims against the
7 State of Arkansas to the payee set out herein:

8

9	ITEM	FISCAL YEAR
10	<u>NO.</u>	<u>2010-2011</u>

11 (01) MARY F. WELCH \$37,500.00

12

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

21

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

29

30 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
32 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated
33 to the Department of Human Services, the Clerk of the State Claims Commission
34 shall consult with the Department of Human Services and the Chief Fiscal
35 Officer of the State to determine the division and funds to which liability
36 should be assigned and from which the warrants shall be drawn. The Clerk of

1 the State Claims Commission shall initiate the appropriate transfers as may
2 be required and as approved by the Chief Fiscal Officer of the State.

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

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

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

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

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

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

35
36 */s/ Joint Budget Committee*