

1 State of Arkansas  
2 92nd General Assembly  
3 Fiscal Session, 2020  
4

As Engrossed: S4/15/20

# A Bill

SENATE BILL 59

5 By: Joint Budget Committee  
6

## 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-SECOND GENERAL ASSEMBLY TO PAY  
11 APPROVED CLAIMS; AND FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR TO MAKE AN APPROPRAITION FOR  
15 THE PAYMENT OF APPROVED CLAIMS.  
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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 Human Services, to be payable from the paying account as  
23 determined by the Chief Fiscal Officer of the State, for the purpose of  
24 paying claims against the State of Arkansas to the payee set out herein:

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2019-2020</u>
27 (1) XEROX CORPORATION C/O LAMAR HARMON	<u>\$43,271.75</u>

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29 SECTION 2. APPROPRIATION. There is hereby appropriated, to the  
30 Department of Finance and Administration - Revenue Services Division, to be  
31 payable from the Individual Income Tax Withholding Fund, for the purpose of  
32 paying claims against the State of Arkansas to the payee set out herein:

33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2019-2020</u>
35 (1) FIDELITY INFORMATION SERVICES, INC.	<u>\$19,308.00</u>



SECTION 3. APPROPRIATION. There is hereby appropriated, to the Department of Finance and Administration - Revenue Services Division, to be payable from the Corporate Income Tax Withholding 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>2019-2020</u>
(1) TYCO INTERNATIONAL (US) INC.	<u>\$24,264.04</u>

SECTION 4. APPROPRIATION. There is hereby appropriated, to the Administrative Office of the Courts, to be payable from the State Central Services 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>2019-2020</u>
(1) LAFAYETTE COUNTY C/O JUDGE MIKE ROWE	<u>\$27,367.43</u>

SECTION 5. APPROPRIATION. There is hereby appropriated, to the University of Arkansas for Medical Sciences, to be payable from the University of Arkansas Medical Center 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>2019-2020</u>
(1) HODA HAGRASS	\$22,753.07
(2) ESTATE OF ESSIE MAE COX	<u>175,000.00</u>
TOTAL AMOUNT APPROPRIATED	<u>\$197,753.07</u>

SECTION 6. APPROPRIATION. There is hereby appropriated, to the Arkansas Auditor of State, to be payable from the State Central Services 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>2019-2020</u>
(1) KELMAR ASSOCIATES, LLC	<u>\$130,940.22</u>

SECTION 7. APPROPRIATION. There is hereby appropriated, to the Department of Health, to be payable from the paying account as determined by

1 the Chief Fiscal Officer of the State, for the purpose of paying claims  
2 against the State of Arkansas to the payee set out herein:

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2019-2020</u>
5 (1) DARCY MELDER, SPECIAL ADMINISTRATRIX OF 6 THE ESTATE OF VIRGINIA O'BRIANT	<u>\$115,000.00</u>

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8 SECTION 8. APPROPRIATION. There is hereby appropriated, to the  
9 Department of Parks, Heritage and Tourism - State Parks and Tourism  
10 Divisions, to be payable from the Parks and Tourism Fund Account, for the  
11 purpose of paying claims against the State of Arkansas to the payee set out  
12 herein:

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2019-2020</u>
15 (1) RA OUTDOORS, LLC d/b/a ASPIRA	<u>\$279,450.00</u>

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17 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER  
19 OF CLAIMS. Any state agency which is affected by the allowed claim(s)  
20 provided for in this Act, and whose fund for the ~~2018-2019~~ 2019-2020 fiscal  
21 year are insufficient to allow for the payment of said claim(s) before June  
22 30, ~~2019~~ 2020, is hereby authorized, upon certification by the Chief Fiscal  
23 Officer of the State, to make payment of said claim(s) after July 1, ~~2019~~  
24 2020, from funds appropriated for the ~~2019-2020~~ 2020-2021 fiscal year.

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

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34 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
36 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated

1 to the Department of Human Services, the Clerk of the State Claims Commission  
2 shall consult with the Department of Human Services and the Chief Fiscal  
3 Officer of the State to determine the division and funds to which liability  
4 should be assigned and from which the warrants shall be drawn. The Clerk of  
5 the State Claims Commission shall initiate the appropriate transfers as may  
6 be required and as approved by the Chief Fiscal Officer of the State.

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

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

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30 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
32 EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission  
33 shall not distribute any warrants prepared under the provisions of this Act  
34 for awards made by the Arkansas State Claims Commission for employment  
35 compensation claims. Upon the award by the State Claims Commission of an  
36 employment compensation claim, the Clerk of the State Claims Commission shall

1 notify the affected state agency and the Department of Finance and  
2 Administration - Office of Personnel Management of such amounts that are due  
3 and payable. The affected state agency shall then process the award through  
4 the State Mechanized Payroll System.

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

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

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25 SECTION 17. EMERGENCY CLAUSE. It is found and determined by the  
26 General Assembly, that payees listed in this Act may be entitled to the sums  
27 appropriated and transferred to herein, and that they have been deprived of  
28 the use of these funds for a long period of time, and that further delay in  
29 paying these just debts of the state would do harm to the reputation of the  
30 State of Arkansas. Therefore, an emergency is hereby declared to exist and  
31 this Act being necessary for the immediate preservation of the public peace,  
32 health and safety shall be in full force and effect from and after the date  
33 of its passage and approval.  
34 If the bill is neither approved nor vetoed by the Governor, it shall become  
35 effective on the expiration of the period of time during which the Governor  
36 may veto the bill. If the bill is vetoed by the Governor and the veto is

1 overridden, it shall become effective on the date the last house overrides  
2 the veto.

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*/s/Joint Budget Committee*