

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill

**SENATE BILL 136**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR WHICH SHALL BE  
9 SUPPLEMENTAL AND IN ADDITION TO OTHER APPROPRIATIONS MADE  
10 BY THE SEVENTY-EIGHTH GENERAL ASSEMBLY TO PAY ALLOWED  
11 CLAIMS; AND FOR OTHER PURPOSES."

12  
13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

14  
15 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the  
16 Arkansas State Highway & Transportation Department, to be payable from the  
17 State Highway and Transportation Department Fund, for the purpose of paying  
18 claims against the State of Arkansas to the payees set out herein, the  
19 following:

20  
21 ITEM

22 NO.	AWARD
23 (1) Eddie R. and Dorothy Hubbard	\$ 21,000
24 (2) W. L. Sharpe Contracting Co., Inc.	20,000
25 (3) Carl and Darlene Grandstaff	10,500
26 (4) <i>Bill Phillips</i>	9,000
27 (5) <i>Ervin D. Amos</i>	75,000
28 (6) <i>William Ogborn</i>	15,000
29 (7) <i>Jodi Ogborn</i>	<u>10,000</u>
30 <i>Total Appropriated</i>	<u>\$ 160,500</u>

31  
32 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the  
33 Department of Arkansas State Police, to be payable from the Department of  
34 Arkansas State Police Fund, for the purpose of paying claims against the State  
35 of Arkansas to the payee set out herein, the following:

1

2 ITEM

3 NO.	AWARD
4 (1) Sandra Loden	\$ 16,000

5

6 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the  
 7 Department of Correction, to be payable from the Department of Correction  
 8 Inmate Care and Custody Fund Account, for the purpose of paying claims against  
 9 the State of Arkansas to the payees set out herein, the following:

10

11 ITEM

12 NO.	AWARD
13 (1) James Henson	\$ 9,500.00
14 (2) Benton Services Center	9,069.05
15 (3) Pine Bluff Wastewater Utility	<u>56,768.37</u>
16 Total Appropriated	<u>\$ 75,337.42</u>

17

18 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the  
 19 Department of Human Services - Division of Children and Family Services, to be  
 20 payable from the Children and Family Services Fund Account, for the purpose of  
 21 paying claims against the State of Arkansas to the payees set out herein, the  
 22 following:

23

24 ITEM

25 NO.	AWARD
26 (1) Baptist Rehabilitation Institute	\$ 19,878.00
27 (2) Baptist Rehabilitation Institute	16,880.62
28 (3) Nexus, Inc.	5,526.70
29 (4) Millcreek of Arkansas	<u>22,015.00</u>
30 Total Appropriated	<u>\$ 64,300.32</u>

31

32 SECTION 5. APPROPRIATIONS. There is hereby appropriated, to the  
 33 Department of Human Services - Division of Economic and Medical Services, to  
 34 be payable from the Economic and Medical Services Fund Account, for the  
 35 purpose of paying claims against the State of Arkansas to the payee set out  
 36 herein, the following:

1

2 ~~ITEM~~

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3 NO.	AWARD
4 (1) <i>Millcreek of Arkansas</i>	\$ 5,920.00
5 (2) <i>Horace Fikes</i>	<u>8,430.13</u>
6 <i>Total Appropriated</i>	<u>\$ 14,350.13</u>

7

8 SECTION 6. APPROPRIATIONS. There is hereby appropriated, to the  
 9 Department of Human Services - Division of Mental Health Services, to be  
 10 payable from the Mental Health Services Fund Account, for the purpose of  
 11 paying claims against the State of Arkansas to the payee set out herein, the  
 12 following:

13

14 ~~ITEM~~

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15 NO.	AWARD
16 (1) Professional Counseling Associates	\$ 5,500

17

18 SECTION 7. APPROPRIATIONS. There is hereby appropriated, to the  
 19 Department of Human Services - Division of Rehabilitation Services, to be  
 20 payable from the Rehabilitation Services Fund Account, for the purpose of  
 21 paying claims against the State of Arkansas to the payee set out herein, the  
 22 following:

23

24 ~~ITEM~~

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25 NO.	AWARD
26 (1) International Business Machines	\$ 32,505
27 (2) <i>United Medical, Inc.</i>	<u>5,040</u>
28 <i>Total Appropriated</i>	<u>\$ 37,545</u>

29

30 SECTION 8. APPROPRIATIONS. There is hereby appropriated, to Arkansas  
 31 State Building Services, to be payable from the Arkansas State Building  
 32 Services Maintenance Fund, for the purpose of paying claims against the State  
 33 of Arkansas to the payee set out herein, the following:

34

35 ITEM

1 NO. AWARD  
 2 (1) Wade Harper \$ 36,901

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

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9  
 10 ITEM  
 11 NO. AWARD  
 12 (1) Schlumberger Tech \$ 60,022

13  
 14 SECTION 10. APPROPRIATIONS. There is hereby appropriated, to the  
 15 Department of Finance and Administration - Revenue Services Division, to be  
 16 payable from the Individual Income Tax Withholding Fund, for the purpose of  
 17 paying claims against the State of Arkansas to the payees set out herein, the  
 18 ~~following:~~

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19  
 20 ITEM  
 21 NO. AWARD  
 22 (1) J. B. and Carolyn Speed \$ 16,727.60  
 23 (2) J. B. Speed 9,222.52  
 24 Total Appropriated \$ 25,950.12

25  
 26 SECTION 11. APPROPRIATIONS. There is hereby appropriated, to the State  
 27 Insurance Department, to be payable from the Firemen's Relief and Pension  
 28 Fund, for the purpose of paying claims against the State of Arkansas to the  
 29 ~~payee set out herein, the following:~~

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30  
 31 ITEM  
 32 NO. AWARD  
 33 (1) City of Norman \$ 26,113.73

34  
 35 ~~SECTION 12. APPROPRIATIONS. There is hereby appropriated, to the~~

1 Arkansas Industrial Development Commission - Energy Office, to be payable from  
 2 ~~the Department of Industrial Development Fund Account, for the purpose of~~  
 3 paying claims against the State of Arkansas to the payee set out herein, the  
 4 following:

5

6 ITEM

7 NO.	AWARD
8 (1) Arkansas State University	\$ 13,348.09

9

10 *SECTION 13. All appropriations made for paying claims against the*  
 11 *State of Arkansas which appear in this Act, excluding those enumerated in this*  
 12 *Section, shall be paid as soon as practical. Claims enumerated in this*  
 13 *Section shall be reviewed by the Arkansas State Claims Commission and if*  
 14 *determined to be valid shall be paid by the Arkansas State Claims Commission*  
 15 *in such amounts so determined but not to exceed the maximums listed.*

16

17 Item

18 <u>No.</u>	<u>Maximum Award</u>
19 <u>(1) George W. Willis</u>	<u>\$50,000</u>
20 (2) Tabitha Barton Jones	

21

22 *SECTION 14. There is hereby appropriated for paying claims to the*  
 23 *individuals enumerated in Section 13, to the Arkansas State Claims Commission,*  
 24 *payable from funds from which the responsible agency draws its primary*  
 25 *support, the sum of . . . \$50,000.*

26

27 *SECTION 15. The Arkansas Claims Commission is hereby authorized and*  
 28 *directed to rehear the case of Margie Everett v. Department of Correction.*

29

30 *SECTION 16. APPROPRIATIONS. There is hereby appropriated, to the*  
 31 *Department of Computer Services, to be payable from the Department of Computer*  
 32 *Services Revolving Fund, for the purpose of paying claims against the State of*  
 33 *Arkansas to the payee set out herein, the following:*

34 ITEM

35 <u>NO.</u>	<u>AWARD</u>
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1 (1) Southwestern Bell Telephone Company \$86,846.09

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3 SECTION 17. APPROPRIATIONS. There is hereby appropriated, to Arkansas  
 4 State University - Jonesboro, to be payable from the Arkansas State University  
 5 Fund, for the purpose of paying claims against the State of Arkansas to the  
 6 payee set out herein, the following:

7 ITEM

8 NO. AWARD

9 (1) Richard A. Myers \$18,000

10

11 SECTION 18. APPROPRIATIONS. There is hereby appropriated, to the  
 12 University of Arkansas at Little Rock, to be payable from the University of  
 13 Arkansas at Little Rock Fund, for the purpose of paying claims against the  
 14 State of Arkansas to the payee set out herein, the following:

15 ITEM

16 NO. AWARD

17 (1) Joe Christensen, Inc. \$6,542.66

18

19 SECTION 19. APPROPRIATIONS. There is hereby appropriated, to the  
 20 University of Arkansas for Medical Sciences, to be payable from the University  
 21 of Arkansas Medical Center Fund, for the purpose of paying claims against the  
 22 State of Arkansas to the payees set out herein, the following:

23 ITEM

24 NO. AWARD

25 (1) Jacqueline Stogsdill \$9,500

26 (2) Troy Lee Stogsdill 9,500

27 Total Appropriated \$19,000

28

29 SECTION 20. Any state agency which is affected by the allowed claim(s)  
 30 provided for in this Act, and whose funds for the 1990-91 fiscal year are  
 31 insufficient to allow for the payment of said claim(s) before June 30, 1991,  
 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, 1991, from funds  
 34 appropriated for the 1991-92 fiscal year.

35

1 SECTION 21. The Clerk of the State Claims Commission is hereby made the  
2 disbursing officer for the purpose of paying the claims appropriated by this  
3 Act. The Clerk of the State Claims Commission is hereby authorized to receive  
4 all warrants prepared under the provisions of this Act from the Auditor of  
5 State and to distribute same to the claimants.

6  
7 SECTION 22. In the event that any claim authorized herein is determined  
8 to be a valid claim against the State and the claim is to be paid from funds  
9 not in the State Treasury, the Clerk of the State Claims Commission shall  
10 notify the agency against which the claim is to be charged of the amount of  
11 such claims. Upon receipt of such notification, the state agency shall  
12 forth-with deliver a check to the Clerk of the State Claims Commission who  
13 shall deposit the same as a nonrevenue receipt into the Miscellaneous  
14 Revolving Fund from which he shall disburse the amount of the claim to the  
15 claimant.

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

26  
27 SECTION 24. LEGISLATIVE INTENT. It is the intent of the General  
28 Assembly that any funds disbursed under the authority of the appropriations  
29 contained in this Act shall be in compliance with the stated reasons for which  
30 this Act was adopted, as evidenced by the Agency Requests, Executive  
31 Recommendations and Legislative Recommendations contained in the budget  
32 manuals prepared by the Department of Finance and Administration, letters, or  
33 summarized oral testimony in the official minutes of the Arkansas Legislative  
34 Council or Joint Budget Committee which relate to its passage and adoption.

35

1 SECTION 25. CODE. All provisions of this Act of a general and  
2 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
3 the Arkansas Code Revision Commission shall incorporate the same in the Code.

4  
5 SECTION 26. SEVERABILITY. If any provision of this Act or the  
6 application thereof to any person or circumstance is held invalid, such  
7 invalidity shall not affect other provisions or applications of the Act which  
8 can be given effect without the invalid provision or application, and to this  
9 end the provisions of this Act are declared to be severable.

10

11 SECTION 27. GENERAL REPEALER. All laws and parts of laws in conflict  
12 with this Act are hereby repealed.

13

14 SECTION 28. HEALTH PREMIUMS. The State Claims Commission shall not,  
15 during the 1992-93 fiscal year, spend more for health insurance per employee  
16 than the amount being contributed to the State Employees Health Insurance  
17 Program.

18

19 SECTION 29. EMERGENCY CLAUSE. *It is hereby found and determined by the*  
20 *Seventy-Eighth General Assembly, that payees listed in this Act may be*  
21 *entitled to the sums appropriated and transferred to herein, and that they*  
22 *have been deprived of the use of these funds for a long period of time, and*  
23 *that further delay in paying these just debts of the State would do harm to*  
24 *the reputation of the State of Arkansas. Therefore, an emergency is hereby*  
25 *declared to exist and this Act being necessary for the immediate preservation*  
26 *of the public peace, health and safety shall be in full force and effect from*  
27 *and after its passage and approval.*

28

/s/Russ

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