

Stricken language will be deleted and underlined language will be added.
Act 241 of the Fiscal Session

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

As Engrossed: S5/3/16
A Bill

SENATE BILL 126

5 By: Joint Budget Committee
6

7 **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 NINETIETH GENERAL ASSEMBLY TO PAY
11 APPROVED CLAIMS; AND FOR OTHER PURPOSES.
12
13

14 **Subtitle**

15 AN ACT TO MAKE AN APPROPRIATION FOR THE
16 PAYMENT OF APPROVED CLAIMS.
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. APPROPRIATION. There is hereby appropriated, to the
22 Department of Finance and Administration - Revenue Services Division, to be
23 payable from the Individual Income Tax Withholding Fund, 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>2015-2016</u>
27 (01) FRANK BRUNCKHORST, III	<u>\$18,028.65</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 Corporate 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>2015-2016</u>
35 (01) HUSQVARNA OUTDOOR PRODUCTS, INC.	<u>\$27,600.00</u>

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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>2015-2016</u>
(01) QUEST RESOURCES GROUP, LLC	<u>\$16,000.00</u>

SECTION 4. APPROPRIATION. There is hereby appropriated, to the Arkansas State Claims Commission, to be payable from the Miscellaneous Revolving 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>2015-2016</u>
(01) MATILDA BRADFORD	<u>\$25,000.00</u>

SECTION 5. APPROPRIATION. There is hereby appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the State Highway and Transportation Department 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>2015-2016</u>
(01) REDSTONE CONSTRUCTION GROUP, INC.	<u>\$37,500.00</u>

SECTION 6. APPROPRIATION. There is hereby appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the State Highway and Transportation Department 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>2015-2016</u>
(01) APAC-TENNESSEE, INC.	<u>\$362,970.00</u>

SECTION 7. APPROPRIATION. There is hereby appropriated, to the Department of Finance and Administration - Revenue Services Division, to be payable from the Miscellaneous Revolving 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>2015-2016</u>
(01) ALCATEL-LUCENT USA, INC.	<u>\$21,508.00</u>

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SECTION 8. APPROPRIATION. There is hereby appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the State Highway and Transportation Department 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>2015-2016</u>
(01) MARTIN MARIETTA MATERIALS, INC.	<u>\$23,253.17</u>

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SECTION 9. 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>2015-2016</u>
(01) BANCORPSOUTH, INC. & SUBSIDIARIES	<u>\$51,752.70</u>

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SECTION 10. APPROPRIATION. There is hereby appropriated, to the Department of Health, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) PUBLIC HEALTH FOUNDATION	<u>\$27,500.00</u>

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SECTION 11. APPROPRIATION. There is hereby appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the State Highway and Transportation Department 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>2015-2016</u>
(01) APAC-TENNESSEE, INC.	<u>\$1,300,000.00</u>

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SECTION 12. APPROPRIATION. There is hereby appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the State Highway and Transportation Department 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>2015-2016</u>
(01) BLACKSTONE CONSTRUCTION, LLC	<u>\$375,000.00</u>

SECTION 13. 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>2015-2016</u>
(01) SCHLUMBERGER TECHNOLOGY CORP.	<u>\$426,851.00</u>

SECTION 14. APPROPRIATION. There is hereby appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the State Highway and Transportation Department 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>2015-2016</u>
(01) ROSIEK CONSTRUCTION CO., INC.	<u>\$1,292,386.01</u>

SECTION 15. APPROPRIATION. There is hereby appropriated, to the Department of Veterans' Affairs, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) DOLORES J. VARNER	<u>\$250,000.00</u>

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER OF CLAIMS. Any state agency which is affected by the allowed claim(s)

1 provided for in this Act, and whose fund for the 2015-2016 fiscal year are
2 insufficient to allow for the payment of said claim(s) before June 30, 2016,
3 is hereby authorized, upon certification by the Chief Fiscal Officer of the
4 State, to make payment of said claim(s) after July 1, 2016, from funds
5 appropriated for the 2016-2017 fiscal year.

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7 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made
10 the disbursing officer for the purpose of paying the claims appropriated by
11 this Act. The Clerk of the State Claims Commission is hereby authorized to
12 receive all warrants prepared under the provisions of this Act from the
13 Auditor of State and to distribute same to the claimants.

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

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

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35 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS

1 FROM CASH FUNDS. In the event that any claim authorized herein is determined
2 to be a valid claim against the State and the claim is to be paid from funds
3 not in the State Treasury, the Clerk of the State Claims Commission shall
4 notify the agency against which the claim is to be charged of the amount of
5 such claims. Upon receipt of such notification, the state agency shall
6 forth-with deliver a check to the Clerk of the State Claims Commission who
7 shall deposit the same as a nonrevenue receipt into the Miscellaneous
8 Revolving Fund from which he shall disburse the amount of the claim to the
9 claimant.

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11 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

32
33 SECTION 23. LEGISLATIVE INTENT. It is the intent of the General
34 Assembly that any funds disbursed under the authority of the appropriations
35 contained in this act shall be in compliance with the stated reasons for
36 which this act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget
2 manuals prepared by the Department of Finance and Administration, letters, or
3 summarized oral testimony in the official minutes of the Arkansas Legislative
4 Council or Joint Budget Committee which relate to its passage and adoption.
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6 SECTION 24. EMERGENCY CLAUSE. It is found and determined by the
7 General Assembly, that payees listed in this Act may be entitled to the sums
8 appropriated and transferred to herein, and that they have been deprived of
9 the use of these funds for a long period of time, and that further delay in
10 paying these just debts of the state would do harm to the reputation of the
11 State of Arkansas. Therefore, an emergency is hereby declared to exist and
12 this Act being necessary for the immediate preservation of the public peace,
13 health and safety shall be in full force and effect from and after the date
14 of its passage and approval.

15 If the bill is neither approved nor vetoed by the Governor, it shall become
16 effective on the expiration of the period of time during which the Governor
17 may veto the bill. If the bill is vetoed by the Governor and the veto is
18 overridden, it shall become effective on the date the last house overrides
19 the veto.

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21 */s/Joint Budget Committee*
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24 **APPROVED: 05/09/2016**
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