

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

SENATE BILL 345

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-FIRST GENERAL ASSEMBLY TO PAY
11 APPROVED CLAIMS; AND FOR OTHER PURPOSES.
12
13

Subtitle

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

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 University of Arkansas for Medical Sciences, to be payable from the
23 University of Arkansas Medical Center Fund, for the purpose of paying claims
24 against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2016-2017</u>
26 (01) KENNY & PAMELA METHENY	<u>\$500,000.00</u>

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29 SECTION 2. APPROPRIATION. There is hereby appropriated, to the
30 Department of Parks and Tourism, to be payable from the Department of Parks
31 and Tourism Fund Account, for the purpose of paying claims against the State
32 of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2016-2017</u>
34 (01) LYLE SULLIVAN D/B/A SULLIVAN	
35 CONSTRUCTION CO.	<u>\$32,513.48</u>



SECTION 3. APPROPRIATION. There is hereby appropriated, to the Department of Arkansas State Police, to be payable from the Department of Arkansas State Police 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>2016-2017</u>
(01) BENNY & CARLOTTA TAYLOR	<u><u>\$7,000.00</u></u>

SECTION 4. APPROPRIATION. There is hereby appropriated, to the Department of Human Services - Division of Behavioral Health Services, 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>2016-2017</u>
(01) LANELLE KENDRICK/ESTATE OF KENNY KENDRICK	<u><u>\$250,000.00</u></u>

SECTION 5. APPROPRIATION. There is hereby appropriated, to the Department of Health, to be payable from the Public Health 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>2016-2017</u>
(01) LITTLE RIVER MEMORIAL HOSPITAL	<u><u>\$23,883.00</u></u>

SECTION 6. APPROPRIATION. There is hereby appropriated, to the Department of Correction, to be payable from the Department of Correction Inmate Care and Custody Fund Account, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) CORRECT CARE SOLUTIONS, LLC	<u><u>\$27,124.44</u></u>

SECTION 7. APPROPRIATION. There is hereby appropriated, to the

1 Department of Finance and Administration - Revenue Services Division, to be
 2 payable from the Individual Income Tax Withholding Fund, for the purpose of
 3 paying claims against the State of Arkansas to the payee set out herein:

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2016-2017</u>
6 (01) HILLCREST HOLDINGS, INC.	<u>\$41,080.55</u>

7
 8 SECTION 8. APPROPRIATION. There is hereby appropriated, to the
 9 Arkansas Department of Environmental Quality, to be payable from the federal
 10 funds as designated by the Chief Fiscal Officer of the State, for the purpose
 11 of paying claims against the State of Arkansas to the payee set out herein:

12 ITEM	FISCAL YEAR
13 <u>NO.</u>	<u>2016-2017</u>
14 (01) CENTER FOR TOXICOLOGY & ENVIRONMENTAL 15 HEALTH	<u>\$13,400.00</u>

16
 17 SECTION 9. APPROPRIATION. There is hereby appropriated, to the
 18 Arkansas Department of Environmental Quality, to be payable from the Asbestos
 19 Control Fund, for the purpose of paying claims against the State of Arkansas
 20 to the payee set out herein:

21 ITEM	FISCAL YEAR
22 <u>NO.</u>	<u>2016-2017</u>
23 (01) CENTER FOR TOXICOLOGY & ENVIRONMENTAL 24 HEALTH	<u>\$2,250.00</u>

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 26 SECTION 10. APPROPRIATION. There is hereby appropriated, to the
 27 Department of Human Services - Division of Youth Services, to be payable from
 28 the paying account as determined by the Chief Fiscal Officer of the State,
 29 for the purpose of paying claims against the State of Arkansas to the payee
 30 set out herein:

31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2016-2017</u>
33 (01) THEA FOUNDATION	<u>\$16,000.00</u>

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 35 SECTION 11. APPROPRIATION. There is hereby appropriated, to the
 36 Department of Finance and Administration - Revenue Services Division, to be

1 payable from the Corporate Income Tax Withholding Fund, for the purpose of
 2 paying claims against the State of Arkansas to the payee set out herein:

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2016-2017</u>
5 (01) FIRST DATA MERCHANT SERVICES CORP.	<u>\$40,200.00</u>

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 7 SECTION 12. APPROPRIATION. There is hereby appropriated, to the
 8 Arkansas State Highway and Transportation Department, to be payable from the
 9 State Highway and Transportation Department Fund, for the purpose of paying
 10 claims against the State of Arkansas to the payee set out herein:

11 ITEM	FISCAL YEAR
12 <u>NO.</u>	<u>2016-2017</u>
13 (01) DONALD & KAREN OSWALD	<u>\$225,000.00</u>

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 15 SECTION 13. 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 ~~2015-2016~~2016-2017 fiscal
 19 year are insufficient to allow for the payment of said claim(s) before June
 20 30, ~~2016~~2017, is hereby authorized, upon certification by the Chief Fiscal
 21 Officer of the State, to make payment of said claim(s) after July 1,
 22 ~~2016~~2017, from funds appropriated for the ~~2016-2017~~2017-2018 fiscal year.

23
 24 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 26 DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made
 27 the disbursing officer for the purpose of paying the claims appropriated by
 28 this Act. The Clerk of the State Claims Commission is hereby authorized to
 29 receive all warrants prepared under the provisions of this Act from the
 30 Auditor of State and to distribute same to the claimants.

31
 32 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
 34 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated
 35 to the Department of Human Services, the Clerk of the State Claims Commission
 36 shall consult with the Department of Human Services and the Chief Fiscal

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

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

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

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28 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
30 EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission
31 shall not distribute any warrants prepared under the provisions of this Act
32 for awards made by the Arkansas State Claims Commission for employment
33 compensation claims. Upon the award by the State Claims Commission of an
34 employment compensation claim, the Clerk of the State Claims Commission shall
35 notify the affected state agency and the Department of Finance and
36 Administration - Office of Personnel Management of such amounts that are due

1 and payable. The affected state agency shall then process the award through
2 the State Mechanized Payroll System.

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4 SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
5 authorized by this act shall be limited to the appropriation for such agency
6 and funds made available by law for the support of such appropriations; and
7 the restrictions of the State Procurement Law, the General Accounting and
8 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
9 Procedures and Restrictions Act, or their successors, and other fiscal
10 control laws of this State, where applicable, and regulations promulgated by
11 the Department of Finance and Administration, as authorized by law, shall be
12 strictly complied with in disbursement of said funds.

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

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

32 If the bill is neither approved nor vetoed by the Governor, it shall become
33 effective on the expiration of the period of time during which the Governor
34 may veto the bill. If the bill is vetoed by the Governor and the veto is
35 overridden, it shall become effective on the date the last house overrides
36 the veto

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APPROVED: 03/22/2017