

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

SENATE BILL 125

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
10 APPROPRIATIONS MADE BY THE EIGHTY-EIGHTH GENERAL
11 ASSEMBLY FOR PAYING APPROVED CLAIMS AGAINST THE
12 STATE; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT TO MAKE AN APPROPRIATION FOR THE
16 PAYMENT OF APPROVED CLAIMS AGAINST THE
17 STATE.
18

19
20
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. APPROPRIATION. There is hereby appropriated, to the
24 Department of Finance and Administration - Revenue Services Division, to be
25 payable from the Miscellaneous Revolving Fund, for the purpose of paying
26 claims against the State of Arkansas to the payee set out herein:

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2011-2012</u>
29 (01) SEMMATERIALS LP	\$16,901.00
30 (02) SYNERGY PETROLEUM LLC	<u>13,860.67</u>
31 TOTAL AMOUNT APPROPRIATED	<u><u>\$30,761.67</u></u>

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



1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2011-2012</u>
3	(01) GERALD M. & JULIE A. KLINE	<u>\$16,047.00</u>

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

9	ITEM	FISCAL YEAR
10	<u>NO.</u>	<u>2011-2012</u>
11	(01) US BANCORP INSURANCE SERVICES	<u>\$38,932.00</u>

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13 SECTION 4. APPROPRIATION. There is hereby appropriated, to the
 14 Department of Human Services, to be payable from the paying account as
 15 determined by the Chief Fiscal Officer of the State, for the purpose of
 16 paying claims against the State of Arkansas to the payee set out herein:

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2011-2012</u>
19	(01) THOMSON PROMETRIC	\$51,511.25
20	(02) THOMSON PROMETRIC	43,640.75
21	(03) THOMSON PROMETRIC	40,293.50
22	(04) THOMSON PROMETRIC	44,068.50
23	(05) THOMSON PROMETRIC	36,503.50
24	(06) THOMSON PROMETRIC	75,999.00
25	(07) ELIZABETH K. KENDALL	<u>33,631.67</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$325,648.17</u>

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28 SECTION 5. APPROPRIATION. There is hereby appropriated, to the
 29 Arkansas State Highway and Transportation Department, to be payable from the
 30 State Highway and Transportation Department Fund, for the purpose of paying
 31 claims against the State of Arkansas to the payee set out herein:

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2011-2012</u>
34	(01) HUNTER HALSELL	\$48,900.00
35	(02) CITY OF BLACK OAK	22,100.00
36	(03) CARL MCCONNELL, JR.	100,000.00

1	(04) MELISSA FOWLER	27,500.00
2	(05) STEVEN BLODGETT	<u>22,000.00</u>
3	TOTAL AMOUNT APPROPRIATED	<u><u>\$220,500.00</u></u>

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 5 SECTION 6. APPROPRIATION. There is hereby appropriated, to the
 6 Henderson State University, to be payable from the Henderson State University
 7 Fund, for the purpose of paying claims against the State of Arkansas to the
 8 payee set out herein:

9	ITEM	FISCAL YEAR
10	<u>NO.</u>	<u>2011-2012</u>
11	(01) BRENDA CHAMBERS	<u><u>\$17,990.90</u></u>

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 13 SECTION 7. APPROPRIATION. There is hereby appropriated, to the
 14 Department of Correction, to be payable from the Department of Correction
 15 Inmate Care and Custody Fund Account, for the purpose of paying claims
 16 against the State of Arkansas to the payee set out herein:

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2011-2012</u>
19	(01) ROBERT SMITH	<u><u>\$115,000.00</u></u>

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 21 SECTION 8. APPROPRIATION. There is hereby appropriated, to the Office
 22 of the Treasurer of State, to be payable from the Municipal Aid Fund, for the
 23 purpose of paying claims against the State of Arkansas to the payee set out
 24 herein:

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2011-2012</u>
27	(01) CITY OF DERMOTT	<u><u>\$29,709.16</u></u>

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 29 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER
 31 OF CLAIMS. Any state agency which is affected by the allowed claim(s)
 32 provided for in this Act, and whose fund for the 2011-2012 fiscal year are
 33 insufficient to allow for the payment of said claim(s) before June 30, 2012,
 34 is hereby authorized, upon certification by the Chief Fiscal Officer of the
 35 State, to make payment of said claim(s) after July 1, 2012, from funds
 36 appropriated for the 2012-2013 fiscal year.

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2 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

4 DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made
5 the disbursing officer for the purpose of paying the claims appropriated by
6 this Act. The Clerk of the State Claims Commission is hereby authorized to
7 receive all warrants prepared under the provisions of this Act from the
8 Auditor of the State and to distribute same to the claimants.

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

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

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30 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS
32 FROM CASH FUNDS. In the event that any claim authorized herein is determined
33 to be a valid claim against the State and the claim is to be paid from funds
34 not in the State Treasury, the Clerk of the State Claims Commission shall
35 notify the agency against which the claim is to be charged of the amount of
36 such claims. Upon receipt of such notification, the state agency shall

1 forthwith deliver a check to the Clerk of the State Claims Commission who
2 shall deposit the same as a non-revenue receipt into the Miscellaneous
3 Revolving Fund from which he shall disburse the amount of the claim to the
4 claimant.

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6 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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18 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS
20 AWARD REPORTING. It is the intent of the General Assembly that when any
21 state agency, board, commission or institution of higher education admits
22 liability to a claim filed with the State Claims Commission and the claim
23 involves a contract with a state agency, board, commission or institution of
24 higher education or the claim exceeds twelve thousand five hundred dollars
25 (\$12,500) that such agency, board, commission or institution of higher
26 education file a written report thereof to the Litigation Subcommittee of the
27 Arkansas Legislative Council. Such report shall include a concise statement
28 of facts with an explanation of the agency's liability. Provided further,
29 such report shall be filed with the Litigation Subcommittee within thirty
30 (30) days after the claim has been adjudicated by the State Claims
31 Commission.

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33 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
34 authorized by this act shall be limited to the appropriation for such agency
35 and funds made available by law for the support of such appropriations; and
36 the restrictions of the State Procurement Law, the General Accounting and

1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
2 Procedures and Restrictions Act, or their successors, and other fiscal
3 control laws of this State, where applicable, and regulations promulgated by
4 the Department of Finance and Administration, as authorized by law, shall be
5 strictly complied with in disbursement of said funds.

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

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16 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the
17 General Assembly, that payees listed in this Act may be entitled to the sums
18 appropriated and transferred to herein, and that they have been deprived of
19 the use of these funds for a long period of time, and that further delay in
20 paying these just debts of the state would do harm to the reputation of the
21 State of Arkansas. Therefore, an emergency is hereby declared to exist and
22 this Act being necessary for the immediate preservation of the public peace,
23 health and safety shall be in full force and effect from and after the date
24 of its passage and approval.
25 If the bill is neither approved nor vetoed by the Governor, it shall become
26 effective on the expiration of the period of time during which the Governor
27 may veto the bill. If the bill is vetoed by the Governor and the veto is
28 overridden, it shall become effective on the date the last house overrides
29 the veto.