

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

SENATE BILL 345

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION WHICH SHALL BE  
SUPPLEMENTAL AND IN ADDITION TO OTHER APPROPRIATIONS  
MADE BY THE NINETY-FIRST GENERAL ASSEMBLY TO PAY  
APPROVED CLAIMS; AND FOR OTHER PURPOSES.

## Subtitle

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

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

SECTION 1. 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>2016-2017</u>
(01) KENNY & PAMELA METHENY	<u>\$500,000.00</u>

SECTION 2. APPROPRIATION. There is hereby appropriated, to the  
Department of Parks and Tourism, to be payable from the Department of Parks  
and Tourism 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) LYLE SULLIVAN D/B/A SULLIVAN 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
NO.	2016-2017
(01) BENNY & CARLOTTA TAYLOR	<u>\$7,000.00</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
NO.	2016-2017
(01) LANELLE KENDRICK/ESTATE OF KENNY KENDRICK	<u>\$250,000.00</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
NO.	2016-2017
(01) LITTLE RIVER MEMORIAL HOSPITAL	<u>\$23,883.00</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
NO.	2016-2017
(01) CORRECT CARE SOLUTIONS, LLC	<u>\$27,124.44</u>

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

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

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

SECTION 8. APPROPRIATION. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the federal funds as designated 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
NO.	2016-2017
(01) CENTER FOR TOXICOLOGY & ENVIRONMENTAL HEALTH	<u>\$13,400.00</u>

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

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

SECTION 10. APPROPRIATION. There is hereby appropriated, to the Department of Human Services - Division of Youth 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
NO.	2016-2017
(01) THEA FOUNDATION	<u>\$16,000.00</u>

SECTION 11. 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>2016-2017</u>
(01) FIRST DATA MERCHANT SERVICES CORP.	<u>\$40,200.00</u>

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>2016-2017</u>
(01) DONALD & KAREN OSWALD	<u>\$225,000.00</u>

SECTION 13. 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) provided for in this Act, and whose fund for the ~~2015-2016~~2016-2017 fiscal year are insufficient to allow for the payment of said claim(s) before June 30, ~~2016~~2017, is hereby authorized, upon certification by the Chief Fiscal Officer of the State, to make payment of said claim(s) after July 1, ~~2016~~2017, from funds appropriated for the ~~2016-2017~~2017-2018 fiscal year.

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

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated to the Department of Human Services, the Clerk of the State Claims Commission 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.

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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.