

1 State of Arkansas
2 89th General Assembly
3 Fiscal Session, 2014
4

A Bill

SENATE BILL 140

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 EIGHTY-NINTH GENERAL ASSEMBLY TO PAY
11 APPROVED CLAIMS; AND FOR OTHER PURPOSES.
12
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Subtitle

14 AN ACT TO MAKE AN APPROPRIATION FOR THE
15 PAYMENT OF APPROVED CLAIMS.
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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 Department of Human Services, to be payable from the Children and Family
23 Services Fund Account, for the purpose of paying claims against the State of
24 Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) THE BRIDGEWAY	<u>\$18,144.00</u>

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

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) THE BRIDGEWAY	<u>\$23,688.00</u>



SECTION 3. 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
<u>NO.</u>	<u>2013-2014</u>
(01) TOM AND CASSANDRA CONE	<u>\$15,444.85</u>

SECTION 4. 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
<u>NO.</u>	<u>2013-2014</u>
(01) JOHN AND JUANITA GRIFFIN	<u>\$221,000.00</u>

SECTION 5. 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>2013-2014</u>
(01) PRAXAIR, INC.	<u>\$23,230.00</u>

SECTION 6. 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>2013-2014</u>
(01) SUSAN CUNNINGHAM	<u>\$35,696.00</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
<u>NO.</u>	<u>2013-2014</u>
(01) JAMES COUNCE	<u>\$33,856.00</u>

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

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) WHEELER, INC.	<u>\$86,159.39</u>

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

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) JEANIE RICHEY	<u>\$140,000.00</u>

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21 SECTION 10. 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
<u>NO.</u>	<u>2013-2014</u>
(01) OLIVIAN MILLER, ADMINISTRATRIX OF THE ESTATE OF RODNEY MILLER	<u>\$1,100,000.00</u>

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30 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER
32 OF CLAIMS. Any state agency which is affected by the allowed claim(s)
33 provided for in this Act, and whose fund for the 2013-2014 fiscal year are
34 insufficient to allow for the payment of said claim(s) before June 30, 2014,
35 is hereby authorized, upon certification by the Chief Fiscal Officer of the
36 State, to make payment of said claim(s) after July 1, 2014, from funds

1 appropriated for the 2014-2015 fiscal year.

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

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

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11 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS

13 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated
14 to the Department of Human Services, the Clerk of the State Claims Commission
15 shall consult with the Department of Human Services and the Chief Fiscal
16 Officer of the State to determine the division and funds to which liability
17 should be assigned and from which the warrants shall be drawn. The Clerk of
18 the State Claims Commission shall initiate the appropriate transfers as may
19 be required and as approved by the Chief Fiscal Officer of the State.

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

23 DEPARTMENT OF HEALTH CLAIMS. For any claims in this Act appropriated to the
24 Department of Health, the Clerk of the State Claims Commission shall consult
25 with the Department of Health and the Chief Fiscal Officer of the State to
26 determine the division and funds to which liability should be assigned and
27 from which the warrants shall be drawn. The Clerk of the State Claims
28 Commission shall initiate the appropriate transfers as may be required and as
29 approved by the Chief Fiscal Officer of the State.

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31 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS

33 FROM CASH FUNDS. In the event that any claim authorized herein is determined
34 to be a valid claim against the State and the claim is to be paid from funds
35 not in the State Treasury, the Clerk of the State Claims Commission shall
36 notify the agency against which the claim is to be charged of the amount of

1 such claims. Upon receipt of such notification, the state agency shall
 2 forth-with deliver a check to the Clerk of the State Claims Commission who
 3 shall deposit the same as a nonrevenue receipt into the Miscellaneous
 4 Revolving Fund from which he shall disburse the amount of the claim to the
 5 claimant.

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 7 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

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

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

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