

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: S3/11/15
A Bill

SENATE BILL 355

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 Arkansas State Highway and Transportation Department, to be payable from the
23 State Highway and Transportation Department Fund, for the purpose of paying
24 claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2014-2015</u>
26 (01) CITY CORPORATION	<u>\$22,779.35</u>

27
28
29 SECTION 2. APPROPRIATION. There is hereby appropriated, to the
30 Arkansas State Highway and Transportation Department, to be payable from the
31 State Highway and Transportation Department Fund, for the purpose of paying
32 claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2014-2015</u>
34 (01) CEQUEL COMMUNICATIONS	<u>\$23,877.46</u>



SECTION 3. APPROPRIATION. There is hereby appropriated, to the Department of Finance and Administration - Management Services Division, to be payable from the State Central Services 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>2014-2015</u>
(01) LIEN TECHNOLOGIES, INC.	<u>\$250,000.00</u>

SECTION 4. 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>2014-2015</u>
(01) NATIONWIDE CONSTRUCTION GROUP	<u>\$27,659.48</u>

SECTION 5. 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>2014-2015</u>
(01) W.W. MAGNESS CO., INC. D/B/A MAGNESS TOYOTA	<u>\$40,000.00</u>

SECTION 6. APPROPRIATION. There is hereby appropriated, to the Department of Human 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>2014-2015</u>
(01) NORTHEAST ARKANSAS COMMUNITY MENTAL HEALTH CENTER, INC. D/B/A MID-SOUTH HEALTH SYSTEMS, INC.	<u>\$23,500.00</u>

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

1 Department of Education, to be payable from the Department of Education Fund
2 Account, for the purpose of paying claims against the State of Arkansas to
3 the payee set out herein:

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2014-2015</u>
6 (01) THE ESTATE OF CHARLES HOPSON, 7 DECEASED	<u>\$25,000</u>

8
9 SECTION 8. APPROPRIATION. There is hereby appropriated, to the Pulaski
10 Technical College, to be payable from the Pulaski Technical College Fund, for
11 the purpose of paying claims against the State of Arkansas to the payee set
12 out herein:

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2014-2015</u>
15 (01) IVONNE GUERRA	<u>\$45,000.00</u>

16
17 SECTION 9. APPROPRIATION. There is hereby appropriated, to the
18 Department of Finance and Administration - Revenue Services Division, to be
19 payable from the Miscellaneous Revolving Fund, for the purpose of paying
20 claims against the State of Arkansas to the payee set out herein:

21 ITEM	FISCAL YEAR
22 <u>NO.</u>	<u>2014-2015</u>
23 (01) PHILLIPS ELECTRONICS NORTH AMERICA	<u>\$18,651.00</u>

24
25 SECTION 10. APPROPRIATION. There is hereby appropriated, to the
26 Department of Veterans' Affairs, to be payable from the cash fund deposited
27 in the State Treasury as determined by the Chief Fiscal Officer of the State,
28 for the purpose of paying claims against the State of Arkansas to the payee
29 set out herein:

30 ITEM	FISCAL YEAR
31 <u>NO.</u>	<u>2014-2015</u>
32 (01) ALLCARE PHARMACY	<u>\$158,175.23</u>

33
34 SECTION 11. APPROPRIATION. There is hereby appropriated, to the
35 Department of Correction, to be payable from the Department of Correction
36 Farm Fund, for the purpose of paying claims against the State of Arkansas to

1 the payee set out herein:

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2014-2015</i></u>
<i>(01) BROOKS MINTON, JR. D/B/A B & G FARMS</i>	<u><u><i>\$29,831.41</i></u></u>

5
6 SECTION 12. APPROPRIATION. There is hereby appropriated, to the
7 Department of Human Services, to be payable from the paying account as
8 determined by the Chief Fiscal Officer of the State, for the purpose of
9 paying claims against the State of Arkansas to the payee set out herein:

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2014-2015</i></u>
<i>(01) GLORIA WEBBER BROWN, AS ADMINISTRATOR OF THE ESTATE OF OLLIE RUTH MILLER</i>	<u><u><i>\$25,000.00</i></u></u>

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

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2014-2015</i></u>
<i>(01) THOMAS FRY</i>	<u><u><i>\$41,000.00</i></u></u>

23
24 SECTION 14. APPROPRIATION. There is hereby appropriated, to the
25 Department of Human Services, to be payable from the paying account as
26 determined by the Chief Fiscal Officer of the State, for the purpose of
27 paying claims against the State of Arkansas to the payee set out herein:

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2014-2015</i></u>
<i>(01) THE ESTATE OF BRENDA MIZE</i>	<u><u><i>\$450,000.00</i></u></u>

31
32 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER
34 OF CLAIMS. Any state agency which is affected by the allowed claim(s)
35 provided for in this Act, and whose fund for the 2014-2015 fiscal year are
36 insufficient to allow for the payment of said claim(s) before June 30, 2015,

1 is hereby authorized, upon certification by the Chief Fiscal Officer of the
2 State, to make payment of said claim(s) after July 1, 2015, from funds
3 appropriated for the 2015-2016 fiscal year.
4

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

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

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

15 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated
16 to the Department of Human Services, the Clerk of the State Claims Commission
17 shall consult with the Department of Human Services and the Chief Fiscal
18 Officer of the State to determine the division and funds to which liability
19 should be assigned and from which the warrants shall be drawn. The Clerk of
20 the State Claims Commission shall initiate the appropriate transfers as may
21 be required and as approved by the Chief Fiscal Officer of the State.
22

23 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS

25 DEPARTMENT OF HEALTH CLAIMS. For any claims in this Act appropriated to the
26 Department of Health, the Clerk of the State Claims Commission shall consult
27 with the Department of Health and the Chief Fiscal Officer of the State to
28 determine the division and funds to which liability should be assigned and
29 from which the warrants shall be drawn. The Clerk of the State Claims
30 Commission shall initiate the appropriate transfers as may be required and as
31 approved by the Chief Fiscal Officer of the State.
32

33 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS

35 FROM CASH FUNDS. In the event that any claim authorized herein is determined
36 to be a valid claim against the State and the claim is to be paid from funds

1 not in the State Treasury, the Clerk of the State Claims Commission shall
2 notify the agency against which the claim is to be charged of the amount of
3 such claims. Upon receipt of such notification, the state agency shall
4 forth-with deliver a check to the Clerk of the State Claims Commission who
5 shall deposit the same as a nonrevenue receipt into the Miscellaneous
6 Revolving Fund from which he shall disburse the amount of the claim to the
7 claimant.

8

9 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
11 EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission
12 shall not distribute any warrants prepared under the provisions of this Act
13 for awards made by the Arkansas State Claims Commission for employment
14 compensation claims. Upon the award by the State Claims Commission of an
15 employment compensation claim, the Clerk of the State Claims Commission shall
16 notify the affected state agency and the Department of Finance and
17 Administration - Office of Personnel Management of such amounts that are due
18 and payable. The affected state agency shall then process the award through
19 the State Mechanized Payroll System.

20

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

30

31 SECTION 22. LEGISLATIVE INTENT. It is the intent of the General
32 Assembly that any funds disbursed under the authority of the appropriations
33 contained in this act shall be in compliance with the stated reasons for
34 which this act was adopted, as evidenced by the Agency Requests, Executive
35 Recommendations and Legislative Recommendations contained in the budget
36 manuals prepared by the Department of Finance and Administration, letters, or

1 summarized oral testimony in the official minutes of the Arkansas Legislative
2 Council or Joint Budget Committee which relate to its passage and adoption.

3
4 SECTION 23. EMERGENCY CLAUSE. It is found and determined by the
5 General Assembly, that payees listed in this Act may be entitled to the sums
6 appropriated and transferred to herein, and that they have been deprived of
7 the use of these funds for a long period of time, and that further delay in
8 paying these just debts of the state would do harm to the reputation of the
9 State of Arkansas. Therefore, an emergency is hereby declared to exist and
10 this Act being necessary for the immediate preservation of the public peace,
11 health and safety shall be in full force and effect from and after the date
12 of its passage and approval.

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

18
19 */s/Joint Budget Committee*

20
21
22 **APPROVED: 03/23/2015**