

1 State of Arkansas  
2 91st General Assembly  
3 Fiscal Session, 2018  
4

# A Bill

SENATE BILL 123

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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17  
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 Department of Finance and Administration - Revenue Services Division, to be  
23 payable from the Miscellaneous Revolving Fund, for the purpose of paying  
24 claims against the State of Arkansas to the payee set out herein:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(1) DASSAULT FALCON JET CORP	<u>\$910,811.33</u>

28  
29 SECTION 2. APPROPRIATION. There is hereby appropriated, to the  
30 Department of Human Services - Division of County Operations, to be payable  
31 from the federal funds as designated by the Chief Fiscal Officer of the  
32 State, for the purpose of paying claims against the State of Arkansas to the  
33 payees set out herein:  
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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>



1	(1)	ARKANSAS FOOD BANK	\$54,155.74
2	(2)	CENTRAL ARKANSAS DEVELOPMENT COUNCIL	19,936.05
3	(3)	ARVAC, INC	<u>37,671.74</u>
4		TOTAL AMOUNT APPROPRIATED	<u><u>\$111,763.53</u></u>

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6 SECTION 3. APPROPRIATION. There is hereby appropriated, to the  
7 Department of Community Correction, to be payable from the Department of  
8 Community Correction Fund Account, for the purpose of paying claims against  
9 the State of Arkansas to the payees set out herein:

10			
11	ITEM		FISCAL YEAR
12	<u>NO.</u>		<u>2017-2018</u>
13	(1)	PERRY R. MALONE	\$19,754.76
14	(2)	TONDA WRIGHT	17,069.85
15	(3)	LISA GARNER	16,226.29
16	(4)	SUSAN HATHCOTE	17,256.09
17	(5)	BRENDA ANN BUTLER	17,089.82
18	(6)	DORIS FLOWERS-TAYLOR	18,760.33
19	(7)	MICHAEL WAYNE CLARK	<u>15,949.88</u>
20		TOTAL AMOUNT APPROPRIATED	<u><u>\$122,107.02</u></u>

21  
22 SECTION 4. APPROPRIATION. There is hereby appropriated, to the  
23 University of Arkansas for Medical Sciences, to be payable from the  
24 University of Arkansas Medical Center Fund, for the purpose of paying claims  
25 against the State of Arkansas to the payee set out herein:

26			
27	ITEM		FISCAL YEAR
28	<u>NO.</u>		<u>2017-2018</u>
29	(1)	ERIKA COUNTS AND PAUL COUNTS, INDIVIDUALLY, AND AS SPECIAL	
30		CO-PERSONAL REPRESENTATIVES FOR THE ESTATE OF DALTON COUNTS,	
31		A DECEASED MINOR	<u>\$212,500.00</u>

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33 SECTION 5. APPROPRIATION. There is hereby appropriated, to the  
34 Department of Human Services - Division of Medical Services, to be payable  
35 from the paying account as determined by the Chief Fiscal Officer of the  
36 State, for the purpose of paying claims against the State of Arkansas to the

1 payee set out herein:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2017-2018</u>
5 (1) FREEWAY SURGERY CENTER, LLC	<u>\$175,000.00</u>

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

11

12 ITEM	FISCAL YEAR
13 <u>NO.</u>	<u>2017-2018</u>
14 (1) DANIEL WALKER, AS ANCILLARY ADMINISTRATOR OF 15 THE ESTATE OF JANET RAE WALKER, DECEASED	<u>\$750,000.00</u>

16

17 SECTION 7. APPROPRIATION. There is hereby appropriated, to the  
 18 Department of Human Services - Division of Children and Family Services, to  
 19 be payable from the Children and Family Services Fund Account, for the  
 20 purpose of paying claims against the State of Arkansas to the payee set out  
 21 herein:

22

23 ITEM	FISCAL YEAR
24 <u>NO.</u>	<u>2017-2018</u>
25 (1) METHODIST BEHAVIORAL HOSPITAL	<u>\$25,000.00</u>

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27 SECTION 8. APPROPRIATION. There is hereby appropriated, to the  
 28 Department of Finance and Administration - Revenue Services Division, to be  
 29 payable from the Individual Income Tax Withholding Fund, for the purpose of  
 30 paying claims against the State of Arkansas to the payee set out herein:

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32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2017-2018</u>
34 (1) DENISE BANKSTON	<u>\$21,810.00</u>

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36 SECTION 9. APPROPRIATION. There is hereby appropriated, to the

1 Department of Human Services - Division of Aging, Adult and Behavioral Health  
 2 Services, to be payable from the paying account as determined by the Chief  
 3 Fiscal Officer of the State, for the purpose of paying claims against the  
 4 State of Arkansas to the payees set out herein:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2017-2018</u>
8 (1) PREFERRED FAMILY HEALTHCARE	\$54,631.00
9 (2) PREFERRED FAMILY HEALTHCARE	<u>20,200.00</u>
10 TOTAL AMOUNT APPROPRIATED	<u><u>\$74,831.00</u></u>

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 12 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER  
 14 OF CLAIMS. Any state agency which is affected by the allowed claim(s)  
 15 provided for in this Act, and whose fund for the ~~2016-2017~~ 2017-2018 fiscal  
 16 year are insufficient to allow for the payment of said claim(s) before June  
 17 30, ~~2017~~ 2018, is hereby authorized, upon certification by the Chief Fiscal  
 18 Officer of the State, to make payment of said claim(s) after July 1, ~~2017~~  
 19 2018, from funds appropriated for the ~~2017-2018~~ 2018-2019 fiscal year.

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 21 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 23 DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made  
 24 the disbursing officer for the purpose of paying the claims appropriated by  
 25 this Act. The Clerk of the State Claims Commission is hereby authorized to  
 26 receive all warrants prepared under the provisions of this Act from the  
 27 Auditor of State and to distribute same to the claimants.

28  
 29 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS  
 31 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated  
 32 to the Department of Human Services, the Clerk of the State Claims Commission  
 33 shall consult with the Department of Human Services and the Chief Fiscal  
 34 Officer of the State to determine the division and funds to which liability  
 35 should be assigned and from which the warrants shall be drawn. The Clerk of  
 36 the State Claims Commission shall initiate the appropriate transfers as may

1 be required and as approved by the Chief Fiscal Officer of the State.

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

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 13 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS  
 15 FROM CASH FUNDS. In the event that any claim authorized herein is determined  
 16 to be a valid claim against the State and the claim is to be paid from funds  
 17 not in the State Treasury, the Clerk of the State Claims Commission shall  
 18 notify the agency against which the claim is to be charged of the amount of  
 19 such claims. Upon receipt of such notification, the state agency shall  
 20 forth-with deliver a check to the Clerk of the State Claims Commission who  
 21 shall deposit the same as a nonrevenue receipt into the Miscellaneous  
 22 Revolving Fund from which he shall disburse the amount of the claim to the  
 23 claimant.

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 25 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 27 EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission  
 28 shall not distribute any warrants prepared under the provisions of this Act  
 29 for awards made by the Arkansas State Claims Commission for employment  
 30 compensation claims. Upon the award by the State Claims Commission of an  
 31 employment compensation claim, the Clerk of the State Claims Commission shall  
 32 notify the affected state agency and the Department of Finance and  
 33 Administration - Office of Personnel Management of such amounts that are due  
 34 and payable. The affected state agency shall then process the award through  
 35 the State Mechanized Payroll System.

1 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
2 authorized by this act shall be limited to the appropriation for such agency  
3 and funds made available by law for the support of such appropriations; and  
4 the restrictions of the State Procurement Law, the General Accounting and  
5 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
6 Procedures and Restrictions Act, or their successors, and other fiscal  
7 control laws of this State, where applicable, and regulations promulgated by  
8 the Department of Finance and Administration, as authorized by law, shall be  
9 strictly complied with in disbursement of said funds.

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

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