

1 State of Arkansas *As Engrossed: S3/12/13 S3/18/13 S3/25/13*

2 89th General Assembly

# A Bill

3 Regular Session, 2013

SENATE BILL 641

5 By: Joint Budget Committee

## 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 ADDITIONAL APPROVED CLAIMS; AND FOR OTHER PURPOSES.

## Subtitle

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

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

21 *SECTION 1. APPROPRIATION. There is hereby appropriated, to the Arkansas*  
22 *State Highway and Transportation Department, to be payable from the State*  
23 *Highway and Transportation Department Fund, for the purpose of paying claims*  
24 *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>2012-2013</i></u>
<i>(01) CAMERON CONSTRUCTION COMPANY, INC.</i>	<i>\$95,961.45</i>
<i>(02) CAMERON CONSTRUCTION COMPANY, INC.</i>	<i>34,850.00</i>
<i>(03) CAMERON CONSTRUCTION COMPANY, INC.</i>	<u><i>23,400.00</i></u>
<i>TOTAL AMOUNT APPROPRIATED</i>	<u><u><i>\$154,211.45</i></u></u>

32 *SECTION 2. APPROPRIATION. There is hereby appropriated, to the State*  
33 *Military Department, to be payable from the State Military Department Fund*  
34 *Account, for the purpose of paying claims against the State of Arkansas to*  
35 *the payee set out herein:*

36 *ITEM* *FISCAL YEAR*



1	<u>NO.</u>	<u>2012-2013</u>
2	(01) POWERS-MECHANICAL SERVICE COMPANY	<u>\$45,936.70</u>

3  
4       SECTION 3. APPROPRIATION. There is hereby appropriated, to the  
5 Arkansas State Highway and Transportation Department, to be payable from the  
6 State Highway and Transportation Department Fund, for the purpose of paying  
7 claims against the State of Arkansas to the payee set out herein:

8	ITEM	FISCAL YEAR
9	<u>NO.</u>	<u>2012-2013</u>
10	(01) PAMELA PERRY	<u>\$27,500.00</u>

11  
12       SECTION 4. APPROPRIATION. There is hereby appropriated, to the  
13 Arkansas State Highway and Transportation Department, to be payable from the  
14 State Highway and Transportation Department Fund, for the purpose of paying  
15 claims against the State of Arkansas to the payee set out herein:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2012-2013</u>
18	(01) DELTA ASPHALT OF ARKANSAS, INC.	<u>\$112,500.00</u>

19  
20       SECTION 5. APPROPRIATION. There is hereby appropriated, to the  
21 Department of Veterans' Affairs, to be payable from the cash fund deposited  
22 in the State Treasury as determined by the Chief Fiscal Officer of the State,  
23 for the purpose of paying claims against the State of Arkansas to the payee  
24 set out herein:

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2012-2013</u>
27	(01) NATHANIEL MUMIN	<u>\$60,320.00</u>

28  
29       SECTION 6. APPROPRIATION. There is hereby appropriated, to the Pulaski  
30 Technical College, to be payable from the Pulaski Technical College Fund, for  
31 the purpose of paying claims against the State of Arkansas to the payee set  
32 out herein:

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2012-2013</u>
35	(01) WONDA WATKINS	<u>\$7,000.00</u>

36

1           SECTION 7. APPROPRIATION. There is hereby appropriated, to the  
 2 Department of Arkansas State Police, to be payable from the Department of  
 3 Arkansas State Police Fund, for the purpose of paying claims against the  
 4 State of Arkansas to the payee set out herein:

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2012-2013</u>
7 (01) MELISSA ASHLEY STEWART, 8 ADMINISTRATRIX OF THE ESTATE OF 9 VICKIE LYNN FREEMYER	<u>\$2,970,000.00</u>

10  
 11           SECTION 8. APPROPRIATION - TWENTY-THIRD DECENNIAL CENSUS - PAYMENT TO  
 12 THE CITY OF CHARLESTON, ARKANSAS. There is hereby appropriated, to the  
 13 Office of the Treasurer of State, to be payable from the Municipal Aid Fund,  
 14 for the purpose of paying claims against the State of Arkansas to the payee  
 15 set out herein:

16 ITEM	FISCAL YEAR
17 <u>NO.</u>	<u>2012-2013</u>
18 (01) CITY OF CHARLESTON, ARKANSAS	
19 (a) GENERAL REVENUE	\$480.91
20 (b) SPECIAL REVENUE	1,446.86
21 (c) HIGHWAY SEVERANCE REVENUE	<u>144.72</u>
22 TOTAL AMOUNT APPROPRIATED	<u>\$2,072.49</u>

23  
 24           SECTION 9. APPROPRIATION - TWENTY-THIRD DECENNIAL CENSUS - PAYMENT TO  
 25 THE CITY OF CHIDESTER, ARKANSAS. There is hereby appropriated, to the Office  
 26 of the Treasurer of State, to be payable from the Municipal Aid Fund, for the  
 27 purpose of paying claims against the State of Arkansas to the payee set out  
 28 herein:

29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2012-2013</u>
31 (01) CITY OF CHIDESTER, ARKANSAS	
32 (a) GENERAL REVENUE	\$29.87
33 (b) SPECIAL REVENUE	87.45
34 (c) HIGHWAY SEVERANCE REVENUE	<u>9.01</u>
35 TOTAL AMOUNT APPROPRIATED	<u>\$126.33</u>

36

1 SECTION 10. APPROPRIATION - TWENTY-THIRD DECENNIAL CENSUS - PAYMENT TO  
 2 THE CITY OF GILMORE, ARKANSAS. There is hereby appropriated, to the Office  
 3 of the Treasurer of State, to be payable from the Municipal Aid Fund, for the  
 4 purpose of paying claims against the State of Arkansas to the payee set out  
 5 herein:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2012-2013</u>
8 (01) CITY OF GILMORE, ARKANSAS	
9 (a) GENERAL REVENUE	\$1,934.29
10 (b) SPECIAL REVENUE	5,606.58
11 (c) HIGHWAY SEVERANCE REVENUE	<u>489.78</u>
12 TOTAL AMOUNT APPROPRIATED	<u><u>\$8,030.65</u></u>

13  
 14 SECTION 11. APPROPRIATION - TWENTY-THIRD DECENNIAL CENSUS - PAYMENT TO  
 15 THE CITY OF HARRISBURG, ARKANSAS. There is hereby appropriated, to the  
 16 Office of the Treasurer of State, to be payable from the Municipal Aid Fund,  
 17 for the purpose of paying claims against the State of Arkansas to the payee  
 18 set out herein:

19 ITEM	FISCAL YEAR
20 <u>NO.</u>	<u>2012-2013</u>
21 (01) CITY OF HARRISBURG, ARKANSAS	
22 (a) GENERAL REVENUE	\$333.27
23 (b) SPECIAL REVENUE	957.91
24 (c) HIGHWAY SEVERANCE REVENUE	<u>85.94</u>
25 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,377.12</u></u>

26  
 27 SECTION 12. APPROPRIATION - TWENTY-THIRD DECENNIAL CENSUS - PAYMENT TO  
 28 THE CITY OF REED, ARKANSAS. There is hereby appropriated, to the Office of  
 29 the Treasurer of State, to be payable from the Municipal Aid Fund, for the  
 30 purpose of paying claims against the State of Arkansas to the payee set out  
 31 herein:

32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2012-2013</u>
34 (01) CITY OF REED, ARKANSAS	
35 (a) GENERAL REVENUE	\$799.09
36 (b) SPECIAL REVENUE	2,316.59

1	(c) HIGHWAY SEVERANCE REVENUE	<u>202.39</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,318.07</u></u>

3

4 SECTION 13. APPROPRIATION - TWENTY-THIRD DECENNIAL CENSUS - PAYMENT TO

5 THE CITY OF TRUMANN, ARKANSAS. There is hereby appropriated, to the Office

6 of the Treasurer of State, to be payable from the Municipal Aid Fund, for the

7 purpose of paying claims against the State of Arkansas to the payee set out

8 herein:

9	ITEM	FISCAL YEAR
10	<u>NO.</u>	<u>2012-2013</u>
11	(01) CITY OF TRUMANN, ARKANSAS	
12	(a) GENERAL REVENUE	\$1,111.62
13	(b) SPECIAL REVENUE	3,092.46
14	(c) HIGHWAY SEVERANCE REVENUE	<u>294.02</u>
15	TOTAL AMOUNT APPROPRIATED	<u><u>\$4,498.10</u></u>

16

17 SECTION 14. APPROPRIATION. There is hereby appropriated, to the

18 Department of Human Services, to be payable from the paying account as

19 determined by the Chief Fiscal Officer of the State, for the purpose of

20 paying claims against the State of Arkansas to the payee set out herein:

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2012-2013</u>
23	(01) NATHAN NELSON	<u><u>\$375,000.00</u></u>

24

25 SECTION 15. APPROPRIATION. There is hereby appropriated, to the

26 University of Arkansas at Pine Bluff, to be payable from the University of

27 Arkansas at Pine Bluff Fund, for the purpose of paying claims against the

28 State of Arkansas to the payee set out herein:

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2012-2013</u>
31	(01) THE COMPLIANCE GROUP, INC.	<u><u>\$18,693.10</u></u>

32

33 SECTION 16. APPROPRIATION. There is hereby appropriated, to the

34 Department of Human Services - Division of Youth Services, to be payable from

35 the paying account as determined by the Chief Fiscal Officer of the State,

36 for the purpose of paying claims against the State of Arkansas to the payee

1 *set out herein:*

2	<i>ITEM</i>	<i>FISCAL YEAR</i>
3	<i>NO.</i>	<i>2012-2013</i>

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4	<i>(01) MAURICE "TREY" CLARK, III AS SPECIAL</i>	
5	<i>ADMINISTRATOR OF THE ESTATE OF</i>	
6	<i>MAURICE "BEAU" CLARK, JR., DECEASED</i>	<u><u><i>\$1,000,000.00</i></u></u>

7

8 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER

10 OF CLAIMS. Any state agency which is affected by the allowed claim(s)

11 provided for in this Act, and whose fund for the 2012-2013 fiscal year are

12 insufficient to allow for the payment of said claim(s) before June 30, 2013,

13 is hereby authorized, upon certification by the Chief Fiscal Officer of the

14 State, to make payment of said claim(s) after July 1, 2013, from funds

15 appropriated for the 2013-2014 fiscal year.

16

17 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

19 DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made

20 the disbursing officer for the purpose of paying the claims appropriated by

21 this Act. The Clerk of the State Claims Commission is hereby authorized to

22 receive all warrants prepared under the provisions of this Act from the

23 Auditor of State and to distribute same to the claimants.

24

25 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS

27 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated

28 to the Department of Human Services, the Clerk of the State Claims Commission

29 shall consult with the Department of Human Services and the Chief Fiscal

30 Officer of the State to determine the division and funds to which liability

31 should be assigned and from which the warrants shall be drawn. The Clerk of

32 the State Claims Commission shall initiate the appropriate transfers as may

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

34

35 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS

1 DEPARTMENT OF HEALTH CLAIMS. For any claims in this Act appropriated to the  
2 Department of Health, the Clerk of the State Claims Commission shall consult  
3 with the Department of Health and the Chief Fiscal Officer of the State to  
4 determine the division and funds to which liability should be assigned and  
5 from which the warrants shall be drawn. The Clerk of the State Claims  
6 Commission shall initiate the appropriate transfers as may be required and as  
7 approved by the Chief Fiscal Officer of the State.

8

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

20

21 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
23 EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission  
24 shall not distribute any warrants prepared under the provisions of this Act  
25 for awards made by the Arkansas State Claims Commission for employment  
26 compensation claims. Upon the award by the State Claims Commission of an  
27 employment compensation claim, the Clerk of the State Claims Commission shall  
28 notify the affected state agency and the Department of Finance and  
29 Administration - Office of Personnel Management of such amounts that are due  
30 and payable. The affected state agency shall then process the award through  
31 the State Mechanized Payroll System.

32

33 SECTION 23. 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.

6  
7 SECTION 24. 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.

15  
16 SECTION 25. 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.

30  
31 */s/Joint Budget Committee*

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34 **APPROVED: 04/05/2013**