

Stricken language would be deleted from and underlined language would be added to present law.

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

2 89th General Assembly

A Bill

3 Regular Session, 2013

SENATE BILL 641

4

5 By: Joint Budget Committee

6

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For An Act To Be Entitled

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AN ACT TO MAKE AN APPROPRIATION WHICH SHALL BE

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SUPPLEMENTAL AND IN ADDITION TO OTHER APPROPRIATIONS

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MADE BY THE EIGHTY-NINTH GENERAL ASSEMBLY TO PAY

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ADDITIONAL APPROVED CLAIMS; AND FOR OTHER PURPOSES.

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Subtitle

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AN ACT TO MAKE AN APPROPRIATION FOR THE

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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 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:*

25 *ITEM* *FISCAL YEAR*

26 *NO.* *2012-2013*

27 *(01) CAMERON CONSTRUCTION COMPANY, INC.* *\$95,961.45*

28 *(02) CAMERON CONSTRUCTION COMPANY, INC.* *34,850.00*

29 *(03) CAMERON CONSTRUCTION COMPANY, INC.* *23,400.00*

30 *TOTAL AMOUNT APPROPRIATED* *\$154,211.45*

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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>

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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>

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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:*

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

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:*

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

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:*

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

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 NO.	<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 NO.	<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 NO.	<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>

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 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. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER
 27 OF CLAIMS. Any state agency which is affected by the allowed claim(s)
 28 provided for in this Act, and whose fund for the 2012-2013 fiscal year are
 29 insufficient to allow for the payment of said claim(s) before June 30, 2013,
 30 is hereby authorized, upon certification by the Chief Fiscal Officer of the
 31 State, to make payment of said claim(s) after July 1, 2013, from funds
 32 appropriated for the 2013-2014 fiscal year.

33
 34 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 36 DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made

1 the disbursing officer for the purpose of paying the claims appropriated by
2 this Act. The Clerk of the State Claims Commission is hereby authorized to
3 receive all warrants prepared under the provisions of this Act from the
4 Auditor of State and to distribute same to the claimants.

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6 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
8 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated
9 to the Department of Human Services, the Clerk of the State Claims Commission
10 shall consult with the Department of Human Services and the Chief Fiscal
11 Officer of the State to determine the division and funds to which liability
12 should be assigned and from which the warrants shall be drawn. The Clerk of
13 the State Claims Commission shall initiate the appropriate transfers as may
14 be required and as approved by the Chief Fiscal Officer of the State.

15
16 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
18 DEPARTMENT OF HEALTH CLAIMS. For any claims in this Act appropriated to the
19 Department of Health, the Clerk of the State Claims Commission shall consult
20 with the Department of Health and the Chief Fiscal Officer of the State to
21 determine the division and funds to which liability should be assigned and
22 from which the warrants shall be drawn. The Clerk of the State Claims
23 Commission shall initiate the appropriate transfers as may be required and as
24 approved by the Chief Fiscal Officer of the State.

25
26 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS
28 FROM CASH FUNDS. In the event that any claim authorized herein is determined
29 to be a valid claim against the State and the claim is to be paid from funds
30 not in the State Treasury, the Clerk of the State Claims Commission shall
31 notify the agency against which the claim is to be charged of the amount of
32 such claims. Upon receipt of such notification, the state agency shall
33 forth-with deliver a check to the Clerk of the State Claims Commission who
34 shall deposit the same as a nonrevenue receipt into the Miscellaneous
35 Revolving Fund from which he shall disburse the amount of the claim to the
36 claimant.

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2 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
4 EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission
5 shall not distribute any warrants prepared under the provisions of this Act
6 for awards made by the Arkansas State Claims Commission for employment
7 compensation claims. Upon the award by the State Claims Commission of an
8 employment compensation claim, the Clerk of the State Claims Commission shall
9 notify the affected state agency and the Department of Finance and
10 Administration - Office of Personnel Management of such amounts that are due
11 and payable. The affected state agency shall then process the award through
12 the State Mechanized Payroll System.
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14 SECTION 21. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
15 authorized by this act shall be limited to the appropriation for such agency
16 and funds made available by law for the support of such appropriations; and
17 the restrictions of the State Procurement Law, the General Accounting and
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
19 Procedures and Restrictions Act, or their successors, and other fiscal
20 control laws of this State, where applicable, and regulations promulgated by
21 the Department of Finance and Administration, as authorized by law, shall be
22 strictly complied with in disbursement of said funds.
23

24 SECTION 22. LEGISLATIVE INTENT. It is the intent of the General
25 Assembly that any funds disbursed under the authority of the appropriations
26 contained in this act shall be in compliance with the stated reasons for
27 which this act was adopted, as evidenced by the Agency Requests, Executive
28 Recommendations and Legislative Recommendations contained in the budget
29 manuals prepared by the Department of Finance and Administration, letters, or
30 summarized oral testimony in the official minutes of the Arkansas Legislative
31 Council or Joint Budget Committee which relate to its passage and adoption.
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33 SECTION 23. EMERGENCY CLAUSE. It is found and determined by the
34 General Assembly, that payees listed in this Act may be entitled to the sums
35 appropriated and transferred to herein, and that they have been deprived of
36 the use of these funds for a long period of time, and that further delay in

1 paying these just debts of the state would do harm to the reputation of the
2 State of Arkansas. Therefore, an emergency is hereby declared to exist and
3 this Act being necessary for the immediate preservation of the public peace,
4 health and safety shall be in full force and effect from and after the date
5 of its passage and approval.

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

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12 */s/Joint Budget Committee*
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