

Stricken language will be deleted and underlined language will be added.  
Act 879 of the Regular Session

State of Arkansas      *As Engrossed: S3/12/13 S3/18/13 S3/25/13*  
89th General Assembly  
Regular Session, 2013

# A Bill

SENATE BILL 641

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION WHICH SHALL BE  
SUPPLEMENTAL AND IN ADDITION TO OTHER APPROPRIATIONS  
MADE BY THE EIGHTY-NINTH GENERAL ASSEMBLY TO PAY  
ADDITIONAL APPROVED CLAIMS; AND FOR OTHER PURPOSES.

## Subtitle

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

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

*SECTION 1. 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:*

<i>ITEM</i>	<i>FISCAL YEAR</i>
<i>NO.</i>	<i>2012-2013</i>
<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>	<i>23,400.00</i>
<i>TOTAL AMOUNT APPROPRIATED</i>	<i><u>\$154,211.45</u></i>

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

<i>ITEM</i>	<i>FISCAL YEAR</i>
-------------	--------------------



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

*SECTION 3. 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:*

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u>NO.</u>	<u>2012-2013</u>
(01) PAMELA PERRY	<u>\$27,500.00</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:*

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

*SECTION 5. APPROPRIATION. There is hereby appropriated, to the Department of Veterans' Affairs, to be payable from the cash fund deposited in the State Treasury 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:*

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

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

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

*SECTION 7. APPROPRIATION. There is hereby appropriated, to the Department of Arkansas State Police, to be payable from the Department of Arkansas State Police Fund, for the purpose of 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>2012-2013</i></u>
<i>(01) MELISSA ASHLEY STEWART, ADMINISTRATRIX OF THE ESTATE OF VICKIE LYNN FREEMYER</i>	<u><u><i>\$2,970,000.00</i></u></u>

*SECTION 8. APPROPRIATION - TWENTY-THIRD DECENNIAL CENSUS - PAYMENT TO THE CITY OF CHARLESTON, ARKANSAS. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the Municipal Aid Fund, for the purpose of 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>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>

*SECTION 9. APPROPRIATION - TWENTY-THIRD DECENNIAL CENSUS - PAYMENT TO THE CITY OF CHIDESTER, ARKANSAS. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the Municipal Aid Fund, for the purpose of 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>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>

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

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

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

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

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

<i>ITEM</i>	<i>FISCAL YEAR</i>
<i>NO.</i>	<i>2012-2013</i>
<hr/>	
<i>(01) CITY OF REED, ARKANSAS</i>	
<i>(a) GENERAL REVENUE</i>	<i>\$799.09</i>
<i>(b) SPECIAL REVENUE</i>	<i>2,316.59</i>

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

*SECTION 13. APPROPRIATION - TWENTY-THIRD DECENNIAL CENSUS - PAYMENT TO THE CITY OF TRUMANN, ARKANSAS. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the Municipal Aid Fund, for the purpose of 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>2012-2013</i></u>
<i>(01) CITY OF TRUMANN, ARKANSAS</i>	
<i>(a) GENERAL REVENUE</i>	<i>\$1,111.62</i>
<i>(b) SPECIAL REVENUE</i>	<i>3,092.46</i>
<i>(c) HIGHWAY SEVERANCE REVENUE</i>	<u><i>294.02</i></u>
<i>TOTAL AMOUNT APPROPRIATED</i>	<u><u><i>\$4,498.10</i></u></u>

*SECTION 14. 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:*

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

*SECTION 15. APPROPRIATION. There is hereby appropriated, to the University of Arkansas at Pine Bluff, to be payable from the University of Arkansas at Pine Bluff Fund, for the purpose of 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>2012-2013</i></u>
<i>(01) THE COMPLIANCE GROUP, INC.</i>	<u><u><i>\$18,693.10</i></u></u>

*SECTION 16. APPROPRIATION. There is hereby appropriated, to the Department of Human Services - Division of Youth 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:*

<i>ITEM</i>	<i>FISCAL YEAR</i>
<i>NO.</i>	<i>2012-2013</i>
<p><i>(01) MAURICE "TREY" CLARK, III AS SPECIAL ADMINISTRATOR OF THE ESTATE OF MAURICE "BEAU" CLARK, JR., DECEASED</i></p>	<p><u><u><i>\$1,000,000.00</i></u></u></p>

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER OF CLAIMS. Any state agency which is affected by the allowed claim(s) provided for in this Act, and whose fund for the 2012-2013 fiscal year are insufficient to allow for the payment of said claim(s) before June 30, 2013, is hereby authorized, upon certification by the Chief Fiscal Officer of the State, to make payment of said claim(s) after July 1, 2013, from funds appropriated for the 2013-2014 fiscal year.

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made the disbursing officer for the purpose of paying the claims appropriated by this Act. The Clerk of the State Claims Commission is hereby authorized to receive all warrants prepared under the provisions of this Act from the Auditor of State and to distribute same to the claimants.

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

SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS

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

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

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

SECTION 23. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and

Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 24. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 25. 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.

*/s/ Joint Budget Committee*

**APPROVED: 04/05/2013**