

.As Engrossed: 2/18/91, 3/14/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A BILL ACT 662 OF 1991
SENATE BILL 405

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PROVIDING PAYMENT OF
9 CLAIMS TO WIDOWS AND/OR DEPENDENT CHILDREN OF POLICEMEN,
10 FIREMEN AND HIGHWAY DEPARTMENT EMPLOYEES KILLED IN THE
11 OFFICIAL LINE OF DUTY, AS PRESCRIBED BY LAW; PROVIDING FOR
12 PAYMENT OF SMALL CONTROVERSIAL AND NON-CONTROVERSIAL
13 CLAIMS WHICH HAVE BEEN APPROVED BY THE ARKANSAS STATE
14 CLAIMS COMMISSION; PROVIDING PERSONAL SERVICES AND
15 OPERATING EXPENSES FOR THE ARKANSAS STATE CLAIMS
16 COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1993;
17 AND FOR OTHER PURPOSES."

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. REGULAR SALARIES. There is hereby established for the
22 Arkansas State Claims Commission for the 1991-93 biennium, the following
23 maximum number of regular employees whose salaries shall be governed by the
24 provisions of the Uniform Classification and Compensation Act (Arkansas Code
25 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
26 Provided, however, that any position to which a specific maximum annual salary
27 is set out herein in dollars, shall be exempt from the provisions of said
28 Uniform Classification and Compensation Act. All persons occupying positions
29 authorized herein are hereby governed by the provisions of the Regular
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
31 successor.

		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
No.	Code	Title	Employees
			1991-92 1992-93

1	(1) 9906 CLAIMS DIRECTOR	1	\$ 45,000	\$ 47,250
2	(2) 9905 CLAIMS COMMISSIONER	5	\$ 13,879	\$ 14,572
3	(3) R430 ADMINISTRATIVE OFFICER	1	GRADE 17	
4	(4) K153 SECRETARY II	<u>2</u>	GRADE 13	
5	MAX NO. OF EMPLOYEES	9		

SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Arkansas State Claims Commission, to be payable from the State Central Services Fund, for personal services and operating expenses of the Arkansas State Claims Commission for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) REGULAR SALARIES	\$ 171,074	\$ 179,658
(02) PERSONAL SERV MATCHING	44,426	47,038
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 19,895	\$ 19,895
(B) CONF. & TRAVEL	3,000	3,000
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	3,500	3,500
(E) DATA PROCESSING	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPER.	<u>26,395</u>	<u>26,395</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 241,895</u>	<u>\$ 253,091</u>

SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the Arkansas State Claims Commission, to be payable from the Miscellaneous Revolving Fund, for payment of claims awarded widows and/or dependent children of deceased policemen, firemen and Highway Department employees killed in the official line of duty, as prescribed by law, by the Arkansas State Claims Commission for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) CLAIMS	<u>\$ 600,000</u>	<u>\$ 600,000</u>

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SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the Arkansas State Claims Commission, to be payable from the Miscellaneous Revolving Fund, for payment of the small controversial claim awards made by the Arkansas State Claims Commission for the biennial period ending June 30, 1993, the following:

<u>ITEM</u>	<u>FISCAL YEARS</u>	
NO.	1991-92	1992-93
(01) CLAIMS	<u>\$ 125,000</u>	<u>\$ 125,000</u>

SECTION 5. APPROPRIATIONS. There is hereby appropriated, to the Arkansas State Claims Commission, to be payable from the Miscellaneous Revolving Fund, for payment of the awards made by the Arkansas State Claims Commission as provided by law, on non-controversial claims for refunds of taxes and fees erroneously paid into the State Treasury, redemption of old warrants presented to the State Treasurer after the time of redemption has expired and for services and supplies on which bills for payment of same were presented for payment too late to be paid from the then current appropriation for the biennial period ending June 30, 1993, the following:

<u>ITEM</u>	<u>FISCAL YEARS</u>	
NO.	1991-92	1992-93
(01) CLAIMS	<u>\$ 170,000</u>	<u>\$ 170,000</u>

SECTION 6. RESTRICTIONS. No award may be paid in excess of five-thousand dollars (\$5,000.00) on any one small controversial claim as authorized in Section 4 of this Act. If the award is greater than \$5,000.00, then such claim shall be referred to the General Assembly for an appropriation, as in the instance of other claims referred by the Arkansas State Claims Commission.

SECTION 7. RESTRICTIONS. No award may be paid in excess of five-thousand dollars (\$5,000.00) on any one non-controversial claim as authorized in Section 5 of this Act. If the award is greater than \$5,000.00,

1 then such claim shall be referred to the General Assembly for an
2 appropriation, as in the instance of other claims referred by the Arkansas
3 State Claims Commission. No voucher may be issued on this appropriation in
4 any amount of awards made by the Arkansas State Claims Commission for personal
5 injury, property damage, or contract claims.

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

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17 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General
18 Assembly that any funds disbursed under the authority of the appropriations
19 contained in this Act shall be in compliance with the stated reasons for which
20 this Act was adopted, as evidenced by the Agency Requests, Executive
21 Recommendations and Legislative Recommendations contained in the budget
22 manuals prepared by the Department of Finance and Administration, letters, or
23 summarized oral testimony in the official minutes of the Arkansas Legislative
24 Council or Joint Budget Committee which relate to its passage and adoption.

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26 SECTION 10. CODE. All provisions of this Act of a general and
27 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
28 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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30 SECTION 11. SEVERABILITY. If any provision of this Act or the
31 application thereof to any person or circumstance is held invalid, such
32 invalidity shall not affect other provisions or applications of the Act which
33 can be given effect without the invalid provision or application, and to this
34 end the provisions of this Act are declared to be severable.

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1 SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict
2 with this Act are hereby repealed.

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4 SECTION 13. HEALTH PREMIUMS. The Arkansas State Claims Commission
5 shall not, during the 1992-93 fiscal year, spend more for health insurance per
6 employee than the amount being contributed to the State Employees Health
7 Insurance Program.

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9 SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by the
10 Seventy-Eighth General Assembly, that the Constitution of the State of
11 Arkansas prohibits the appropriation of funds for more than a two (2) year
12 period; that the effectiveness of this Act on July 1, 1991 is essential to the
13 operation of the agency for which the appropriations in this Act are provided,
14 and that in the event of an extension of the Regular Session, the delay in the
15 effective date of this Act beyond July 1, 1991 could work irreparable harm
16 upon the proper administration and provision of essential governmental
17 programs. Therefore, an emergency is hereby declared to exist and this Act
18 being necessary for the immediate preservation of the public peace, health and
19 safety shall be in full force and effect from and after July 1, 1991.

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/s/Joint Budget Committee

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APPROVED: 3-20-91

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