

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Joint Budget Committee**

# A Bill

**HOUSE BILL 2139**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES  
9 FOR THE STATE INSURANCE DEPARTMENT WHICH SHALL BE  
10 SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED  
11 BY ACT 897 OF 1991; AND TO MAKE AN APPROPRIATION WHICH  
12 SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS  
13 APPROPRIATED FOR THE STATE INSURANCE DEPARTMENT FOR THE  
14 BIENNIAL PERIOD ENDING JUNE 30, 1995; AND FOR OTHER  
15 PURPOSES."

## Subtitle

18 "AN ACT FOR SUPPLEMENTAL APPROPRIATIONS FOR THE STATE  
19 INSURANCE DEPARTMENT."

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

23 SECTION 1. APPROPRIATIONS - PUBLIC SCHOOL EMPLOYEES CLAIMS. There is  
24 hereby appropriated, to the State Insurance Department, to be payable from the  
25 Miscellaneous Revolving Fund Account, for the payment of public school  
26 employees claims of the State Insurance Department - Public School Employees  
27 Claims which shall be supplemental and in addition to those funds appropriated  
28 in Section 10 of Act 897 of 1991, for the remainder of the fiscal year ending  
29 June 30, 1993, the following:

31 ITEM	FISCAL YEAR
32 NO.	1992-93
33 (01) PUBLIC SCHOOL EMPLOYEES CLAIMS	<u>\$ 2,000,000</u>

35 SECTION 2. APPROPRIATIONS. PUBLIC SCHOOL EMPLOYEES CLAIMS. There is

1 hereby appropriated, to the State Insurance Department, to be payable from the  
2 Miscellaneous Revolving Fund Account, for the payment of public school  
3 employees claims of the State Insurance Department - Public School Employees  
4 Claims which shall be supplemental and in addition to those funds appropriated  
5 for this purpose during the biennial period ending June 30, 1995, the  
6 following:

ITEM	FISCAL YEARS	
NO.	1993-94	1994-95
(01) PUBLIC SCHOOL EMPLOYEES CLAIMS	<u>\$ 2,000,000</u>	<u>\$ 2,000,000</u>

12 SECTION 3. APPROPRIATIONS - STATE. There is hereby appropriated, to  
13 the State Insurance Department, to be payable from the State Insurance  
14 Department Trust Fund Account, for personal services and operating expenses of  
15 the State Insurance Department - State which shall be supplemental and in  
16 addition to those funds appropriated for the same purpose during the biennial  
17 period ending June 30, 1995, the following:

ITEM	FISCAL YEARS	
NO.	1993-94	1994-95
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE \$ 0 \$ 0		
(B) CONF. & TRVL. 0 0		
(C) PROF. FEES 0 0		
(D) CAP. OUTLAY 202,055 0		
(E) DATA PROC. <u>255,000</u> <u>255,000</u>		
TOTAL MAINT. & GEN. OPER. \$ 457,055 \$ 255,000		
(02) PROFESSIONAL SERVICES <u>100,000</u> <u>100,000</u>		
TOTAL AMOUNT APPROPRIATED <u>\$ 557,055</u> <u>\$ 355,000</u>		

31 SECTION 4. REGULAR SALARIES - FRAUD INVESTIGATION UNIT. There is  
32 hereby established for the State Insurance Department - Fraud Investigation  
33 Unit for the 1993-95 biennium, the following maximum number of regular  
34 employees whose salaries shall be governed by the provisions of the Uniform  
35 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its

1 successor, and all laws amendatory thereto. Provided, however, that any  
2 position to which a specific maximum annual salary is set out herein in  
3 dollars, shall be exempt from the provisions of said Uniform Classification  
4 and Compensation Act. All persons occupying positions authorized herein are  
5 hereby governed by the provisions of the Regular Salaries Procedures and  
6 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class	Title	No. of Employees	Maximum Annual Salary Rate	
				1993-94	1994-95
(1)	8911	DIRECTOR, FRAUD INVESTIGATION	1	\$40,000	\$41,400
(2)	8012	ASST. DIR., FRAUD INVESTIGATION	1	GRADE 26	
	R038	ATTORNEY SUPERVISOR	1		
(3)	R170	ATTORNEY SPECIALIST	2	GRADE 25	
(4)	R266	MGMT. PROJECT ANALYST II	4	GRADE 20	
(5)	K153	SECRETARY II	2	GRADE 13	
		MAX. NO. OF EMPLOYEES	11		

20 SECTION 5. APPROPRIATIONS - FRAUD INVESTIGATION UNIT. There is hereby  
21 appropriated, to the State Insurance Department - Fraud Investigation Unit, to  
22 be payable from the State Insurance Department Trust Fund Account, for  
23 personal services and operating expenses of the State Insurance Department -  
24 Fraud Investigation Unit for the biennial period ending June 30, 1995, the  
25 following:

ITEM NO.	FISCAL YEARS	
	1993-94	1994-95
(1) REGULAR SALARIES	\$ 373,282	\$ 390,847
(2) PERSONAL SERV MATCHING	94,030	100,410
(3) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 132,000	\$ 132,000
(B) CONF. & TRVL.	4,000	4,000
(C) PROF. FEES	11,000	11,000
(D) CAP. OUTLAY	36,233	3,000

1	(E) DATA PROC.	<u>0</u>	<u>0</u>
2	TOTAL MAINT. & GEN. OPER.	<u>183,233</u>	<u>150,000</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 650,545</u>	<u>\$ 641,257</u>

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

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15 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General  
16 Assembly that any funds disbursed under the authority of the appropriations  
17 contained in this Act shall be in compliance with the stated reasons for which  
18 this Act was adopted, as evidenced by the Agency Requests, Executive  
19 Recommendations and Legislative Recommendations contained in the budget  
20 manuals prepared by the Department of Finance and Administration, letters, or  
21 summarized oral testimony in the official minutes of the Arkansas Legislative  
22 Council or Joint Budget Committee which relate to its passage and adoption.

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24 SECTION 8. CODE. All provisions of this Act of a general and permanent  
25 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
26 Code Revision Commission shall incorporate the same in the Code.

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28 SECTION 9. SEVERABILITY. If any provision of this Act or the  
29 application thereof to any person or circumstance is held invalid, such  
30 invalidity shall not affect other provisions or applications of the Act which  
31 can be given effect without the invalid provision or application, and to this  
32 end the provisions of this Act are declared to be severable.

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34 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict  
35 with this Act are hereby repealed.

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SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth General Assembly, that funds provided by the Seventy-Eighth General Assembly for payments of public school employees claims by the State Insurance Department, due to unforeseen circumstances, are not sufficient to support claims payments to the end of the current fiscal year; that the provisions of this Act will provide the necessary resources to continue claims payments during the current fiscal year and also during the 1993-95 biennium and will provide for data processing and other programs necessary for the efficient delivery of services by the Department; and that a delay in the effective date of this Act could work irreparable harm upon the proper administration and provision of essential government programs. 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.

*/s/John E. Miller*

*As Engrossed: 4/8/93*

**HB 2139**

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