

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

# A Bill

**SENATE BILL**

## 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, 1995;  
17 AND FOR OTHER PURPOSES."

## Subtitle

19 "AN ACT FOR THE ARKANSAS STATE CLAIMS COMMISSION  
20 APPROPRIATION."  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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25 SECTION 1. REGULAR SALARIES. There is hereby established for the  
26 Arkansas State Claims Commission for the 1993-95 biennium, the following  
27 maximum number of regular employees whose salaries shall be governed by the  
28 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
29 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
30 Provided, however, that any position to which a specific maximum annual salary  
31 is set out herein in dollars, shall be exempt from the provisions of said  
32 Uniform Classification and Compensation Act. All persons occupying positions  
33 authorized herein are hereby governed by the provisions of the Regular  
34 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
35 successor.

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			Maximum Annual		
		Maximum	Salary Rate		
<del>Item</del>	<del>Class</del>	<del>No. of</del>	<del>Fiscal Years</del>		
No.	Code	Title	Employees	1993-94	1994-95
(1)	9906	CLAIMS DIRECTOR	1	\$ 46,971	\$ 48,614
(2)	9905	CLAIMS COMMISSIONER	5	\$ 15,234	\$ 15,767
(3)	R430	ADMINISTRATIVE OFFICER	1	GRADE 17	
(4)	K153	SECRETARY II	<u>2</u>	GRADE 13	
MAX NO. OF EMPLOYEES			9		

12 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the  
13 Arkansas State Claims Commission, to be payable from the State Central  
14 Services Fund, for personal services and operating expenses of the Arkansas  
15 State Claims Commission for the biennial period ending June 30, 1995, the  
16 following:

<del>ITEM</del>		<del>FISCAL YEARS</del>	
NO.		1993-94	1994-95
(01)	REGULAR SALARIES	\$ 186,197	\$ 192,727
(02)	PERSONAL SERV MATCHING	53,492	54,657
(03)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSE	\$ 20,500	\$ 21,100
	(B) CONF. & TRVL.	3,000	3,000
	(C) PROF. FEES	0	0
	(D) CAP. OUTLAY	2,000	5,500
	(E) DATA PROC.	<u>0</u>	<u>0</u>
	TOTAL MAINT. & GEN. OPER.	<u>25,500</u>	<u>29,600</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 265,189</u>	<u>\$ 276,984</u>

31 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the  
32 Arkansas State Claims Commission, to be payable from the Miscellaneous  
33 Revolving Fund, for payment of claims awarded widows and/or dependent children  
34 of deceased policemen, firemen and Highway Department employees killed in the  
35 official line of duty, as prescribed by law by the Arkansas State Claims

1 Commission for the biennial period ending June 30, 1995, the following:

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3 ITEM	FISCAL YEARS	
4 NO.	1993-94	1994-95
5 (01) CLAIMS	<u>\$ 600,000</u>	<u>\$ 600,000</u>

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7 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the

8 Arkansas State Claims Commission, to be payable from the Miscellaneous

9 Revolving Fund, for payment of the small controversial claim awards made by

10 the Arkansas State Claims Commission for the biennial period ending June 30,

11 1995, the following:

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13 ITEM	FISCAL YEARS	
14 NO.	1993-94	1994-95
15 (01) CLAIMS	<u>\$ 125,000</u>	<u>\$ 125,000</u>

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17 SECTION 5. APPROPRIATIONS. There is hereby appropriated, to the

18 Arkansas State Claims Commission, to be payable from the Miscellaneous

19 Revolving Fund, for payment of the awards made by the Arkansas State Claims

20 Commission, as provided by law, on non-controversial claims for refunds of

21 taxes and fees erroneously paid into the State Treasury, redemption of old

22 warrants presented to the State Treasurer after the time of redemption has

23 expired and for services and supplies on which bills for payment of same were

24 presented for payment too late to be paid from the then current appropriation

25 for the biennial period ending June 30, 1995, the following:

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27 ITEM	FISCAL YEARS	
28 NO.	1993-94	1994-95
29 (01) CLAIMS	<u>\$ 220,000</u>	<u>\$ 220,000</u>

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31 SECTION 6. RESTRICTIONS. No award may be paid in excess of

32 five-thousand dollars (\$5,000.00) on any one small controversial claim as

33 authorized in Section 4 of this Act. If the award is greater than \$5,000.00,

34 then such claim shall be referred to the General Assembly for an

35 appropriation, as in the instance of other claims referred by the Arkansas

1 State Claims Commission.

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3 SECTION 7. RESTRICTIONS. No award may be paid in excess of  
4 five-thousand dollars (\$5,000.00) on any one non-controversial claim as  
5 authorized in Section 5 of this Act. If the award is greater than \$5,000.00,  
6 then such claim shall be referred to the General Assembly for an  
7 appropriation, as in the instance of other claims referred by the Arkansas  
8 State Claims Commission. No voucher may be issued on this appropriation in  
9 any amount of awards made by the Arkansas State Claims Commission for personal  
10 injury, property damage, or contract claims.

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

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

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

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35 SECTION 11. SEVERABILITY. If any provision of this Act or the

1 application thereof to any person or circumstance is held invalid, such  
2 invalidity shall not affect other provisions or applications of the Act which  
3 can be given effect without the invalid provision or application, and to this  
4 end the provisions of this Act are declared to be severable.

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

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9 SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by the  
10 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas  
11 prohibits the appropriation of funds for more than a two (2) year period; that  
12 the effectiveness of this Act on July 1, 1993 is essential to the operation of  
13 the agency for which the appropriations in this Act are provided, and that in  
14 the event of an extension of the Regular Session, the delay in the effective  
15 date of this Act beyond July 1, 1993 could work irreparable harm upon the  
16 proper administration and provision of essential governmental programs.  
17 Therefore, an emergency is hereby declared to exist and this Act being  
18 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, 1993.

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