

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

A Bill

ACT 45 OF 1993
SENATE BILL 133

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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Item Class	Maximum No. of Employees	Maximum Salary Rate	Fiscal Years
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		

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, 1995, the following:

ITEM	FISCAL YEARS	
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>

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, 1995, the following:

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

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6 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the
7 Arkansas State Claims Commission, to be payable from the Miscellaneous
8 Revolving Fund, for payment of the small controversial claim awards made by
9 the Arkansas State Claims Commission for the biennial period ending June 30,
10 1995, the following:

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

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16 SECTION 5. APPROPRIATIONS. There is hereby appropriated, to the
17 Arkansas State Claims Commission, to be payable from the Miscellaneous
18 Revolving Fund, for payment of the awards made by the Arkansas State Claims
19 Commission, as provided by law, on non-controversial claims for refunds of
20 taxes and fees erroneously paid into the State Treasury, redemption of old
21 warrants presented to the State Treasurer after the time of redemption has
22 expired and for services and supplies on which bills for payment of same were
23 presented for payment too late to be paid from the then current appropriation
24 for the biennial period ending June 30, 1995, the following:

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

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

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

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

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

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

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34 SECTION 11. SEVERABILITY. If any provision of this Act or the
35 application thereof to any person or circumstance is held invalid, such

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

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

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

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20 APPROVED: 2/4/93

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