

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 313 OF 1995
SENATE BILL 189

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, 1997;
17 AND FOR OTHER PURPOSES."

Subtitle

20 "AN ACT FOR THE ARKANSAS STATE CLAIMS
21 COMMISSION APPROPRIATION FOR THE 1995-97
22 BIENNIUM."

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

26 SECTION 1. REGULAR SALARIES. There is hereby established for the
27 Arkansas State Claims Commission for the 1995-97 biennium, the following
28 maximum number of regular employees whose salaries shall be governed by the
29 provisions of the Uniform Classification and Compensation Act (Arkansas Code
30 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
31 Provided, however, that any position to which a specific maximum annual salary
32 is set out herein in dollars, shall be exempt from the provisions of said
33 Uniform Classification and Compensation Act. All persons occupying positions
34 authorized herein are hereby governed by the provisions of the Regular
35 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
36 successor.

			Maximum Annual		
		Maximum	Salary Rate		
Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	1995-96	1996-97
6	(1)	9906 CLAIMS DIRECTOR	1	\$ 50,825	\$ 52,095
7	(2)	9905 CLAIMS COMMISSIONER	5	\$ 16,484	\$ 16,896
8	(3)	R430 ADMINISTRATIVE OFFICER	1	GRADE 17	
9	(4)	K153 SECRETARY II	<u>2</u>	GRADE 13	
10		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, 1997, the following:

ITEM		FISCAL YEARS	
NO.		1995-96	1996-97
20	(01) REGULAR SALARIES	\$ 196,513	\$ 196,513
21	(02) PERSONAL SERV MATCHING	48,435	48,435
22	(03) MAINT. & GEN. OPERATION		
23	(A) OPER. EXPENSE	\$ 58,600	\$ 58,600
24	(B) CONF. & TRVL.	3,000	3,000
25	(C) PROF. FEES	0	0
26	(D) CAP. OUTLAY	5,500	5,500
27	(E) DATA PROC.	<u>0</u>	<u>0</u>
28	TOTAL MAINT. & GEN. OPER.	<u>67,100</u>	<u>67,100</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$ 312,048</u>	<u>\$ 312,048</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; for payment of the small controversial claim awards

1 made by the Arkansas State Claims Commission; and for payment of the awards
2 made by the Arkansas State Claims Commission, as provided by law, on non-
3 controversial claims for the biennial period ending June 30, 1997, the
4 following:

6 ITEM	FISCAL YEARS	
7 NO.	1995-96	1996-97
8 (01) CLAIMS FOR WIDOWS/DEPENDENT CHILDREN,		
9 SMALL CONTROVERSIAL CLAIMS AND SMALL		
10 NON-CONTROVERSIAL CLAIMS	<u>\$ 1,020,000</u>	<u>\$ 1,020,000</u>

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12 SECTION 4. RESTRICTIONS. No award may be paid in excess of
13 five-thousand dollars (\$5,000.00) on any one small controversial claim as
14 authorized in Section 3 of this Act. If the award is greater than \$5,000.00,
15 then such claim shall be referred to the General Assembly for an
16 appropriation, as in the instance of other claims referred by the Arkansas
17 State Claims Commission.

18
19 SECTION 5. RESTRICTIONS. No award may be paid in excess of
20 five-thousand dollars (\$5,000.00) on any one non-controversial claim as
21 authorized in Section 3 of this Act. If the award is greater than \$5,000.00,
22 then such claim shall be referred to the General Assembly for an
23 appropriation, as in the instance of other claims referred by the Arkansas
24 State Claims Commission. No voucher may be issued on this appropriation in
25 any amount of awards made by the Arkansas State Claims Commission for personal
26 injury, property damage, or contract claims.

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28 SECTION 6. *The Clerk of the State Claims Commission shall not*
29 *distribute any warrants prepared under the provisions of this Act for awards*
30 *made by the Arkansas State Claims Commission for employment compensation*
31 *claims. Upon the award by the State Claims Commission of an employment*
32 *compensation claim, the Clerk of the State Claims Commission shall notify the*
33 *affected state agency and the Department of Finance and Administration -*
34 *Office of Personnel Management of such amounts that are due and payable. The*
35 *affected state agency shall then process the award through the State*

1 *Mechanized Payroll System.*

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

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13 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General
14 Assembly that any funds disbursed under the authority of the appropriations
15 contained in this Act shall be in compliance with the stated reasons for which
16 this Act was adopted, as evidenced by the Agency Requests, Executive
17 Recommendations and Legislative Recommendations contained in the budget
18 manuals prepared by the Department of Finance and Administration, letters, or
19 summarized oral testimony in the official minutes of the Arkansas Legislative
20 Council or Joint Budget Committee which relate to its passage and adoption.

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22 SECTION 9. CODE. All provisions of this Act of a general and permanent
23 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
24 Code Revision Commission shall incorporate the same in the Code.

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26 SECTION 10. SEVERABILITY. If any provision of this Act or the
27 application thereof to any person or circumstance is held invalid, such
28 invalidity shall not affect other provisions or applications of the Act which
29 can be given effect without the invalid provision or application, and to this
30 end the provisions of this Act are declared to be severable.

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32 SECTION 11. GENERAL REPEALER. All laws and parts of laws in conflict
33 with this Act are hereby repealed.

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35 SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by the

1 Eightieth General Assembly, that the Constitution of the State of Arkansas
2 prohibits the appropriation of funds for more than a two (2) year period; that
3 the effectiveness of this Act on July 1, 1995 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the Regular Session, the delay in the effective
6 date of this Act beyond July 1, 1995 could work irreparable harm upon the
7 proper administration and provision of essential governmental programs.
8 Therefore, an emergency is hereby declared to exist and this Act being
9 necessary for the immediate preservation of the public peace, health and
10 safety shall be in full force and effect from and after July 1, 1995.

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/s/Russ

APPROVED: 2-14-95

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