

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

# A Bill

**Act 34 of 2001**  
**HOUSE BILL 1208**

5 By: Joint Budget Committee  
6  
7

## **For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PROVIDING PAYMENT  
10 OF CLAIMS TO SURVIVING SPOUSES AND/OR DEPENDENT  
11 CHILDREN OF POLICEMEN, FIREMEN, CORRECTIONAL OFFICERS  
12 AND OTHER SPECIFIED STATE EMPLOYEES KILLED IN THE  
13 OFFICIAL LINE OF DUTY, AS PRESCRIBED BY LAW;  
14 PROVIDING FOR PAYMENT OF SMALL CONTROVERSIAL AND NON-  
15 CONTROVERSIAL CLAIMS WHICH HAVE BEEN APPROVED BY THE  
16 ARKANSAS STATE CLAIMS COMMISSION; PROVIDING PERSONAL  
17 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE  
18 CLAIMS COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE  
19 30, 2003; AND FOR OTHER PURPOSES.  
20  
21

## **Subtitle**

22 AN ACT FOR THE ARKANSAS STATE CLAIMS  
23 COMMISSION APPROPRIATION FOR THE 2001-  
24 2003 BIENNIUM.  
25  
26  
27

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
29

30 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for  
31 the Arkansas State Claims Commission for the 2001-2003 biennium, the following  
32 maximum number of regular employees whose salaries shall be governed by the  
33 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
34 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
35 Provided, however, that any position to which a specific maximum annual salary  
36 is set out herein in dollars, shall be exempt from the provisions of said

1 Uni form Cl assi fi ca ti on and Com pen sa ti on Act. All per sons oc cu py ing po si ti ons  
 2 au th o rized here in are here by gov erned by the pro vi sions of the Reg u lar  
 3 Sal a r i e s Pro ce d u r e s and Re s t r i c t i o n s Act (Arkansas Code §21-5-101), or i t s  
 4 suc ce s s o r .

			Maximum	Maximum Annual	
			No. of	Salary Rate	
Item	Class		Empl o y e e s	Fi s c a l Y e a r s	
No.	Code	Ti t l e		2001-2002	2002-2003
10	(1)	9906 CLAIMS DIRECTOR	1	\$62,670	\$64,299
11	(2)	9905 CLAIMS COMMISSIONER	5	\$20,323	\$20,851
12	(3)	R430 ADMINISTRATIVE OFFICER	1	GRADE 17	
13	(4)	K153 SECRETARY II	<u>3</u>	GRADE 13	
14		MAX. NO. OF EMPLOYEES	10		

16 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the  
 17 Arkansas State Claims Commission, to be payable from the State Central  
 18 Services Fund, for personal services and operating expenses of the Arkansas  
 19 State Claims Commission for the biennial period ending June 30, 2003, the  
 20 fol low ing:

ITEM		FI SCAL YEARS	
NO.		2001-2002	2002-2003
24	(01) REGULAR SALARIES	\$ 271,047	\$ 278,093
25	(02) PERSONAL SERV MATCHING	77,641	78,887
26	(03) MAINT. & GEN. OPERATION		
27	(A) OPER. EXPENSE	75,000	75,000
28	(B) CONF. & TRAVEL	3,000	3,000
29	(C) PROF. FEES	0	0
30	(D) CAP. OUTLAY	5,500	5,500
31	(E) DATA PROC.	<u>0</u>	<u>0</u>
32	TOTAL AMOUNT APPROPRIATED	<u>\$ 432,188</u>	<u>\$ 440,480</u>

34 SECTION 3. APPROPRIATION - CLAIMS. There is hereby appropriated, to the  
 35 Arkansas State Claims Commission, to be payable from the Miscellaneous  
 36 Revolving Fund, for payment of claims awarded to surviving spouses and/or

1 dependent children of deceased policemen, firemen, correctional officers, and  
 2 other specified state employees killed in the official line of duty, as  
 3 prescribed by law; for payment of the small controversial claim awards made by  
 4 the Arkansas State Claims Commission; and for payment of awards made by the  
 5 Arkansas State Claims Commission, as provided by law, on non-controversial  
 6 claims for the biennial period ending June 30, 2003, the following:

ITEM	FISCAL YEARS	
NO.	2001-2002	2002-2003
(01) CLAIMS FOR SURVIVING SPOUSES/DEPENDENT CHILDREN, SMALL CONTROVERSIAL CLAIMS AND SMALL NON-CONTROVERSIAL CLAIMS	<u>\$ 1,300,000</u>	<u>\$ 1,300,000</u>

15 SECTION 4. SPECIAL LANGUAGE. RESTRICTIONS. With the exception of death  
 16 and disability benefit claims paid under the provisions of Arkansas Code  
 17 Annotated 21-5-701 through 21-5-707, no award may be paid in excess of seven  
 18 thousand five hundred dollars (\$7,500). If the award is greater than \$7,500,  
 19 then such claim shall be referred to the General Assembly for an  
 20 appropriation.

21 The provisions of this section shall be in effect only from July 1, 2001  
 22 through June 30, 2003.

24 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 25 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMPLOYMENT  
 26 COMPENSATION CLAIMS. The Clerk of the State Claims Commission shall not  
 27 distribute any warrants prepared under the provisions of this Act for awards  
 28 made by the Arkansas State Claims Commission for employment compensation  
 29 claims. Upon the award by the State Claims Commission of an employment  
 30 compensation claim, the Clerk of the State Claims Commission shall notify the  
 31 affected state agency and the Department of Finance and Administration -  
 32 Office of Personnel Management of such amounts that are due and payable. The  
 33 affected state agency shall then process the award through the State  
 34 Mechanized Payroll System.

35 The provisions of this section shall be in effect only from July 1, 2001  
 36 through June 30, 2003.

1

2 SECTION 6. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED

3 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all

4 appropriations as provided in this Act, the agency disbursing officer shall

5 monitor the level of fund balances in relation to expenditures on a monthly

6 basis. If any proposed expenditures would cause a fund balance to decline to

7 less than fifty percent (50%) of the balance available on July 1, 2001, the

8 disbursing officer shall immediately notify the executive head of the agency.

9 Prior to any obligations being made under these circumstances, the agency

10 head shall file written documentation with the Chief Fiscal Officer of the

11 State requesting approval of the expenditures. Such documentation shall

12 provide sufficient financial data to justify the expenditures and shall

13 include the following:

14 1) a plan that clearly indicates the specific fiscal impact of such

15 expenditures on the fund balance.

16 2) information clearly indicating and explaining what programs would be cut or

17 any other measures to be taken by the agency to restore the fund balance.

18 3) the extent to which any of the planned expenditures are for one-time costs

19 or one-time purchase of capitalized items.

20 4) a statement certifying that the expenditure of fund balances will not

21 jeopardize the financial health of the agency, nor result in a permanent

22 depletion of the fund balance.

23 (B) The Chief Fiscal Officer of the State shall review the request and

24 approve or disapprove all or any part of the request , after having sought

25 prior review by the Legislative Council.

26

27 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by

28 this act shall be limited to the appropriation for such agency and funds made

29 available by law for the support of such appropriations; and the restrictions

30 of the State Purchasing Law, the General Accounting and Budgetary Procedures

31 Law, the Revenue Stabilization Law, the Regular Salary Procedures and

32 Restrictions Act, or their successors, and other fiscal control laws of this

33 State, where applicable, and regulations promulgated by the Department of

34 Finance and Administration, as authorized by law, shall be strictly complied

35 with in disbursement of said funds.

36

1 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 2 that any funds disbursed under the authority of the appropriations contained  
 3 in this act shall be in compliance with the stated reasons for which this act  
 4 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 5 and Legislative Recommendations contained in the budget manuals prepared by  
 6 the Department of Finance and Administration, letters, or summarized oral  
 7 testimony in the official minutes of the Arkansas Legislative Council or Joint  
 8 Budget Committee which relate to its passage and adoption.

9  
 10 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
 11 Assembly, that the Constitution of the State of Arkansas prohibits the  
 12 appropriation of funds for more than a two (2) year period; that the  
 13 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
 14 agency for which the appropriations in this Act are provided, and that in the  
 15 event of an extension of the Regular Session, the delay in the effective date  
 16 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
 17 administration and provision of essential governmental programs. Therefore, an  
 18 emergency is hereby declared to exist and this Act being necessary for the  
 19 immediate preservation of the public peace, health and safety shall be in full  
 20 force and effect from and after July 1, 2001.

21  
 22  
 23 APPROVED: 1/29/2001  
 24  
 25  
 26  
 27  
 28  
 29  
 30  
 31  
 32  
 33  
 34  
 35  
 36