

State of Arkansas  
 77th General Assembly  
 Regular Session, 1989  
 By: Joint Budget Committee

SENATE BILL 149

"AN ACT TO MAKE AN APPROPRIATION FOR PROVIDING PAYMENT OF CLAIMS TO WIDOWS AND/OR DEPENDENT CHILDREN OF POLICEMEN, FIREMEN AND HIGHWAY DEPARTMENT EMPLOYEES KILLED IN THE OFFICIAL LINE OF DUTY, AS PRESCRIBED BY LAW; PROVIDING FOR PAYMENT OF SMALL CONTROVERSIAL AND NON-CONTROVERSIAL CLAIMS WHICH HAVE BEEN APPROVED BY THE ARKANSAS STATE CLAIMS COMMISSION; PROVIDING PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE CLAIMS COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1991; AND FOR OTHER PURPOSES."

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas State Claims Commission for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				1989-90	1990-91
(1)	9906	CLAIMS DIRECTOR	1	\$28,928	\$29,651
(2)	9905	CLAIMS COMMISSIONER	5	\$12,300	\$12,608

(3) R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 16
(4) K153 SECRETARY II	<u>2</u>	GRADE 11
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, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 138,163	\$ 141,649
(02) PERSONAL SERV MATCHING	36,242	38,599
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 19,895	\$ 19,895
(B) CONF. & TRAVEL	2,000	2,000
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	3,500	5,000
(E) DATA PROCESSING	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPER.	<u>25,395</u>	<u>26,895</u>
TOTAL AMOUNT APPROPRIATED	\$ 199,800	\$ 207,143

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, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) CLAIMS	\$ 600,000	\$ 600,000

SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the Arkansas State Claims Commission, to be payable from the Miscellaneous

Revolving Fund, for payment of the small controversial claim awards made by the Arkansas State Claims Commission for the biennial period ending June 30, 1991, the following:

ITEM	FISCAL YEARS	
NO. _____	1989-90 _____	1990-91 _____
(01) CLAIMS	\$ 100,000	\$ 100,000

SECTION 5. APPROPRIATIONS. There is hereby appropriated, to the Arkansas State Claims Commission, to be payable from the Miscellaneous Revolving Fund, for payment of the awards made by the Arkansas State Claims Commission as provided by law, on non-controversial claims for refunds of taxes and fees erroneously paid into the State Treasury, redemption of old warrants presented to the State Treasurer after the time of redemption has expired and for services and supplies on which bills for payment of same were presented for payment too late to be paid from the then current appropriation for the biennial period ending June 30, 1991, the following:

ITEM	FISCAL YEARS	
NO. _____	1989-90 _____	1990-91 _____
(01) CLAIMS	\$ 120,000	\$ 120,000

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

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

injury, property damage, or contract claims.

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

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

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

SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental 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 July 1, 1989.