

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995

# A Bill

SENATE BILL 189

4 By: Joint Budget Committee  
5  
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## 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."  
18

## Subtitle

19 "AN ACT FOR THE ARKANSAS STATE CLAIMS  
20 COMMISSION APPROPRIATION FOR THE 1995-97  
21 BIENNIUM."  
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23  
24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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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  
32 salary is set out herein in dollars, shall be exempt from the provisions of  
33 said Uniform Classification and Compensation Act. All persons occupying  
34 positions authorized herein are hereby governed by the provisions of the  
35 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),

1 or its successor.

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			Maximum Annual		
			Maximum	Salary Rate	
Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	1995-96	1996-97
(1)	9906	CLAIMS DIRECTOR	1	\$ 50,825	\$
		52,095			
(2)	9905	CLAIMS COMMISSIONER	5	\$ 16,484	\$
		16,896			
(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, 1997, the following:

ITEM	FISCAL YEARS	
	1995-96	1996-97
(01) REGULAR SALARIES	\$ 196,513	\$
196,513		
(02) PERSONAL SERV MATCHING	48,435	
48,435		
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 58,600	\$ 58,600
(B) CONF. & TRVL.	3,000	3,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	5,500	5,500
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPER.		<u>67,100</u>
<u>67,100</u>		
TOTAL AMOUNT APPROPRIATED	\$	<u><u>312,048</u></u> \$

1 312,048

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3 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the  
 4 Arkansas State Claims Commission, to be payable from the Miscellaneous  
 5 ~~Revolving Fund, for payment of claims awarded widows and/or dependent~~  
 6 children of deceased policemen, firemen and highway department employees  
 7 killed in the official line of duty; for payment of the small controversial  
 8 claim awards made by the Arkansas State Claims Commission; and for payment of  
 9 the awards made by the Arkansas State Claims Commission, as provided by law,  
 10 on non-controversial claims for the biennial period ending June 30, 1997, the  
 11 following:

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13 ITEM	FISCAL YEARS	
14 NO.	1995-96	1996-97
15 (01) CLAIMS FOR WIDOWS/DEPENDENT CHILDREN,		
16 SMALL CONTROVERSIAL CLAIMS AND SMALL		
17 NON-CONTROVERSIAL CLAIMS	<u>\$ 1,020,000</u>	<u>\$ 1,020,000</u>

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19 SECTION 4. RESTRICTIONS. No award may be paid in excess of  
 20 five-thousand dollars (\$5,000.00) on any one small 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.

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

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35 SECTION 6. *The Clerk of the State Claims Commission shall not*

1 *distribute any warrants prepared under the provisions of this Act for awards*  
2 *made by the Arkansas State Claims Commission for employment compensation*  
3 *claims. Upon the award by the State Claims Commission of an employment*  
4 *compensation claim, the Clerk of the State Claims Commission shall notify the*  
5 *affected state agency and the Department of Finance and Administration -*  
6 *Office of Personnel Management of such amounts that are due and payable. The*  
7 *affected state agency shall then process the award through the State*  
8 *Mechanized Payroll System.*

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

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

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

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33 SECTION 10. SEVERABILITY. If any provision of this Act or the  
34 application thereof to any person or circumstance is held invalid, such  
35 invalidity shall not affect other provisions or applications of the Act which

1 can be given effect without the invalid provision or application, and to this  
2 end the provisions of this Act are declared to be severable.

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

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7 SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by  
8 the Eightieth General Assembly, that the Constitution of the State of  
9 Arkansas prohibits the appropriation of funds for more than a two (2) year  
10 period; that the effectiveness of this Act on July 1, 1995 is essential to  
11 the operation of the agency for which the appropriations in this Act are  
12 provided, and that in the event of an extension of the Regular Session, the  
13 delay in the effective date of this Act beyond July 1, 1995 could work  
14 irreparable harm upon the proper administration and provision of essential  
15 governmental programs. Therefore, an emergency is hereby declared to exist  
16 and this Act being necessary for the immediate preservation of the public  
17 peace, health and safety shall be in full force and effect from and after  
18 July 1, 1995.

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*/s/Russ*

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