

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: S1/29/97

A Bill

HOUSE BILL 1130

4
5 By: Joint Budget Committee

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PROVIDING PAYMENT OF
10 CLAIMS TO SURVIVING SPOUSES AND/OR DEPENDENT CHILDREN OF
11 POLICEMEN, FIREMEN, CORRECTIONAL OFFICERS AND OTHER
12 SPECIFIED STATE EMPLOYEES KILLED IN THE OFFICIAL LINE OF
13 DUTY, AS PRESCRIBED BY LAW; PROVIDING FOR PAYMENT OF SMALL
14 CONTROVERSIAL AND NON-CONTROVERSIAL CLAIMS WHICH HAVE BEEN
15 APPROVED BY THE ARKANSAS STATE CLAIMS COMMISSION;
16 PROVIDING PERSONAL SERVICES AND OPERATING EXPENSES FOR THE
17 ARKANSAS STATE CLAIMS COMMISSION FOR THE BIENNIAL PERIOD
18 ENDING JUNE 30, 1999; AND FOR OTHER PURPOSES."

Subtitle

21 "AN ACT FOR THE ARKANSAS STATE CLAIMS
22 COMMISSION APPROPRIATION FOR THE 1997-99
23 BIENNIUM."

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

26
27 SECTION 1. REGULAR SALARIES. There is hereby established for the
28 Arkansas State Claims Commission for the 1997-99 biennium, the following
29 maximum number of regular employees whose salaries shall be governed by the
30 provisions of the Uniform Classification and Compensation Act (Arkansas Code
31 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
32 Provided, however, that any position to which a specific maximum annual salary
33 is set out herein in dollars, shall be exempt from the provisions of said
34 Uniform Classification and Compensation Act. All persons occupying positions
35 authorized herein are hereby governed by the provisions of the Regular
36 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its

1 successor.

2

3

4

5 Item Class

Maximum Annual
Salary Rate
No. of Fiscal Years

6 ~~No. Code Title Employees 1997 98 1998 99~~

7 (1) 9906 CLAIMS DIRECTOR 1 \$ 54,944 \$ 56,482

8 (2) 9905 CLAIMS COMMISSIONER 5 \$ 17,819 \$ 18,317

9 (3) R430 ADMINISTRATIVE OFFICER 1 GRADE 17

10 (4) K153 SECRETARY II 3 GRADE 13

11 MAX NO. OF EMPLOYEES 10

12

13 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
14 Arkansas State Claims Commission, to be payable from the State Central
15 Services Fund, for personal services and operating expenses of the Arkansas
16 State Claims Commission, for the biennial period ending June 30, 1999, the
17 following:

18

19 ITEM

FISCAL YEARS

20 ~~NO. 1997 98 1998 99~~

21 (01) REGULAR SALARIES \$ 241,284 \$ 248,355

22 (02) PERSONAL SERV MATCHING 72,846 74,100

23 (03) MAINT. & GEN. OPERATION

24 (A) OPER. EXPENSE 66,100 66,100

25 (B) CONF. & TRVL. 3,000 3,000

26 (C) PROF. FEES 0 0

27 (D) CAP. OUTLAY 5,500 5,500

28 (E) DATA PROC. 0 0

29 TOTAL AMOUNT APPROPRIATED \$ 388,730 \$ 397,055

30

31 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the
32 Arkansas State Claims Commission, to be payable from the Miscellaneous
33 Revolving Fund, for payment of claims awarded to surviving spouses and/or
34 dependent children of deceased policemen, firemen, correctional officers, and
35 other specified state employees killed in the official line of duty, as

1 prescribed by law; for payment of the small controversial claim awards made by
2 the Arkansas State Claims Commission; and for payment of the awards made by
3 the Arkansas State Claims Commission, as provided by law, on non-
4 controversial claims for the biennial period ending June 30, 1999, the
5 following:

ITEM	FISCAL YEARS	
NO.	1997-98	1998-99
9 (01) CLAIMS FOR SURVIVING SPOUSES/DEPENDENT		
10 CHILDREN, SMALL CONTROVERSIAL CLAIMS		
11 AND SMALL NON-CONTROVERSIAL CLAIMS	<u>\$ 1,300,000</u>	<u>\$</u>
12 <u>1,300,000</u>		

14 SECTION 4. SPECIAL LANGUAGE-RESTRICTIONS. No award may be paid in
15 excess of seven thousand five hundred dollars (\$7,500.00) on any one small
16 controversial claim as authorized in Section 3 of this Act. If the award is
17 greater than 7,500.00, then such claim shall be referred to the General
18 Assembly for an appropriation, as in the instance of other claims referred by
19 the Arkansas State Claims Commission.

21 SECTION 5. SPECIAL LANGUAGE. The Clerk of the State Claims Commission
22 shall not distribute any warrants prepared under the provisions of this Act
23 for awards made by the Arkansas State Claims Commission for employment
24 compensation claims. Upon the award by the State Claims Commission of an
25 employment compensation claim, the Clerk of the State Claims Commission shall
26 notify the affected state agency and the Department of Finance and
27 Administration - Office of Personnel Management of such amounts that are due
28 and payable. The affected state agency shall then process the award through
29 the State Mechanized Payroll System.

31 SECTION 6. SPECIAL LANGUAGE-RESTRICTIONS. No award may be paid in excess
32 of seven thousand five hundred dollars (\$7,500.00) on any one non-
33 controversial claim as authorized in Section 3 of this Act. If the award is
34 greater than \$7,500.00, then such claim shall be referred to the General
35 Assembly for an appropriation, as in the instance of other claims referred by

1 the Arkansas State Claims Commission. No voucher may be issued on this
2 appropriation in any amount of awards made by the Arkansas State Claims
3 Commission for personal injury, property damage, or contract claims.
4

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

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

24 SECTION 9. CODE. All provisions of this Act of a general and permanent
25 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
26 Code Revision Commission shall incorporate the same in the Code.
27

28 SECTION 10. SEVERABILITY. If any provision of this Act or the
29 application thereof to any person or circumstance is held invalid, such
30 invalidity shall not affect other provisions or applications of the Act which
31 can be given effect without the invalid provision or application, and to this
32 end the provisions of this Act are declared to be severable.
33

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-First 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, 1997 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, 1997 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, 1997.

/s/ Thicksten

- 1
- 2
- 3
- 4
- 5