

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

HOUSE BILL 1238

4  
5 By: Joint Budget Committee  
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## 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; PROVIDING  
14 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, 2001; AND FOR OTHER PURPOSES."

## Subtitle

21  
22 "AN ACT FOR THE ARKANSAS STATE CLAIMS  
23 COMMISSION APPROPRIATION FOR THE  
24 1999-2001 BIENNIUM."  
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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29 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for  
30 the Arkansas State Claims Commission for the 1999-2001 biennium, the following  
31 maximum number of regular employees whose salaries shall be governed by the  
32 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
33 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
34 Provided, however, that any position to which a specific maximum annual salary  
35 is set out herein in dollars, shall be exempt from the provisions of said  
36 Uniform Classification and Compensation Act. All persons occupying positions

1 authorized herein are hereby governed by the provisions of the Regular  
 2 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
 3 successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1999-2000	2000-2001
9	(1) 9906	CLAIMS DIRECTOR	1	\$59,419	\$61,082
10	(2) 9905	CLAIMS COMMISSIONER	5	\$19,269	\$19,808
11	(3) R430	ADMINISTRATIVE OFFICER	1	GRADE 17	
12	(4) K153	SECRETARY II	<u>3</u>	GRADE 13	
13		MAX. NO. OF EMPLOYEES	10		

15 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the  
 16 Arkansas State Claims Commission, to be payable from the State Central  
 17 Services Fund, for personal services and operating expenses of the Arkansas  
 18 State Claims Commission for the biennial period ending June 30, 2001, the  
 19 following:

ITEM NO.		FISCAL YEARS	
		1999-2000	2000-2001
23	(01) REGULAR SALARIES	\$ 257,048	\$ 264,242
24	(02) PERSONAL SERV MATCHING	77,806	79,075
25	(03) MAINT. & GEN. OPERATION		
26	(A) OPER. EXPENSE	73,000	73,000
27	(B) CONF. & TRAVEL	3,000	3,000
28	(C) PROF. FEES	0	0
29	(D) CAP. OUTLAY	5,500	5,500
30	(E) DATA PROC.	<u>0</u>	<u>0</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 416,354</u>	<u>\$ 424,817</u>

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

1 other specified state employees killed in the official line of duty, as  
 2 prescribed by law; for payment of the small controversial claim awards made by  
 3 the Arkansas State Claims Commission; and for payment of the awards made by  
 4 the Arkansas State Claims Commission, as provided by law, on non-controversial  
 5 claims for the biennial period ending June 30, 2001, the following:

ITEM	FISCAL YEARS	
NO.	1999-2000	2000-2001
(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>

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

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

33 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
 34 this act shall be limited to the appropriation for such agency and funds made  
 35 available by law for the support of such appropriations; and the restrictions  
 36 of the State Purchasing Law, the General Accounting and Budgetary Procedures

1 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
2 Restrictions Act, or their successors, and other fiscal control laws of this  
3 State, where applicable, and regulations promulgated by the Department of  
4 Finance and Administration, as authorized by law, shall be strictly complied  
5 with in disbursement of said funds.

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

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16 SECTION 8. CODE. All provisions of this Act of a general and permanent  
17 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
18 Code Revision Commission shall incorporate the same in the Code.

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20 SECTION 9. SEVERABILITY. If any provision of this act or the application  
21 thereof to any person or circumstance is held invalid, such invalidity shall  
22 not affect other provisions or applications of the act which can be given  
23 effect without the invalid provision or application, and to this end the  
24 provisions of this act are declared to be severable.

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26 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict with  
27 this act are hereby repealed.

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29 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the  
30 Eighty-second General Assembly, that the Constitution of the State of Arkansas  
31 prohibits the appropriation of funds for more than a two (2) year period; that  
32 the effectiveness of this Act on July 1, 1999 is essential to the operation of  
33 the agency for which the appropriations in this Act are provided, and that in  
34 the event of an extension of the Regular Session, the delay in the effective  
35 date of this Act beyond July 1, 1999 could work irreparable harm upon the  
36 proper administration and provision of essential governmental programs.

1 Therefore, an emergency is hereby declared to exist and this Act being  
2 necessary for the immediate preservation of the public peace, health and  
3 safety shall be in full force and effect from and after July 1, 1999.

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