

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 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 1117

4
5 By: Joint Budget Committee
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7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PROVIDING
10 PAYMENT OF CLAIMS TO SURVIVING SPOUSES AND/OR
11 DEPENDENT CHILDREN OF POLICEMEN, FIREMEN,
12 CORRECTIONAL OFFICERS AND OTHER SPECIFIED STATE
13 EMPLOYEES KILLED IN THE OFFICIAL LINE OF DUTY, AS
14 PRESCRIBED BY LAW; PROVIDING FOR PAYMENT OF SMALL
15 CONTROVERSIAL AND NON-CONTROVERSIAL CLAIMS WHICH
16 HAVE BEEN APPROVED BY THE ARKANSAS STATE CLAIMS
17 COMMISSION; PROVIDING PERSONAL SERVICES AND
18 OPERATING EXPENSES FOR THE ARKANSAS STATE CLAIMS
19 COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE
20 30, 2005; AND FOR OTHER PURPOSES.
21
22

Subtitle

23 AN ACT FOR THE ARKANSAS STATE CLAIMS
24 COMMISSION APPROPRIATION FOR THE
25 2003-2005 BIENNIUM.
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29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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31 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
32 the Arkansas State Claims Commission for the 2003-2005 biennium, the
33 following maximum number of regular employees whose salaries shall be
34 governed by the provisions of the Uniform Classification and Compensation Act
35 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
36 thereto. Provided, however, that any position to which a specific maximum



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1 annual salary is set out herein in dollars, shall be exempt from the
 2 provisions of said Uniform Classification and Compensation Act. All persons
 3 occupying positions authorized herein are hereby governed by the provisions
 4 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
 5 101), or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2003-2004	2004-2005
11	(1) 9906	CLAIMS DIRECTOR	1	\$65,921	\$67,573
12	(2) 9905	CLAIMS COMMISSIONER	5	\$21,421	\$21,999
13	(3) R266	MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
14	(4) K153	SECRETARY II	<u>3</u>	GRADE 13	
15		MAX. NO. OF EMPLOYEES	10		

17 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 18 the Arkansas State Claims Commission, to be payable from the State Central
 19 Services Fund, for personal services and operating expenses of the Arkansas
 20 State Claims Commission for the biennial period ending June 30, 2005, the
 21 following:

ITEM NO.		FISCAL YEARS	
		2003-2004	2004-2005
25	(01) REGULAR SALARIES	\$ 280,866	\$ 280,866
26	(02) PERSONAL SERV MATCH	79,305	79,305
27	(03) MAINT. & GEN. OPERATION		
28	(A) OPER. EXPENSE	80,500	80,500
29	(B) CONF. & TRAVEL	3,000	3,000
30	(C) PROF. FEES	0	0
31	(D) CAP. OUTLAY	0	0
32	(E) DATA PROC.	<u>0</u>	<u>0</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$ 443,671</u>	<u>\$ 443,671</u>

35 SECTION 3. APPROPRIATION - CLAIMS. There is hereby appropriated, to the
 36 Arkansas State Claims Commission, to be payable from the Miscellaneous

1 Revolving Fund, for payment of claims awarded to surviving spouses and/or
2 dependent children of deceased policemen, firemen, correctional officers and
3 other specified state employees killed in the official line of duty, as
4 prescribed by law; for payment of small controversial claim awards made by
5 the Arkansas State Claims Commission; and for payment of awards made by the
6 Arkansas State Claims Commission, as provided by law, on non-controversial
7 claims, for the biennial period ending June 30, 2005, the following:

ITEM	FISCAL YEARS	
NO.	2003-2004	2004-2005
(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. Arkansas Code 19-10-215 is amended to read as follows:
16 Restrictions on Awards. With the exception of death and disability benefit
17 claims paid under the provisions of §§ 21-5-701 - 21-5-707, no award may be
18 paid in excess of ~~seven thousand five hundred dollars (\$7,500)~~ ten thousand
19 dollars (\$10,000). If the award is greater than ~~seven thousand five hundred~~
20 ~~dollars (\$7,500)~~ ten thousand dollars (\$10,000), then such claim shall be
21 referred to the General Assembly for an appropriation.

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

34 The provisions of this section shall be in effect only from ~~July 1, 2001~~
35 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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

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

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 20 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
 21 Assembly, that the Constitution of the State of Arkansas prohibits the
 22 appropriation of funds for more than a two (2) year period; that the
 23 effectiveness of this Act on July 1, 2003 is essential to the operation of
 24 the agency for which the appropriations in this Act are provided, and that in
 25 the event of an extension of the Regular Session, the delay in the effective
 26 date of this Act beyond July 1, 2003 could work irreparable harm upon the
 27 proper administration and provision of essential governmental programs.
 28 Therefore, an emergency is hereby declared to exist and this Act being
 29 necessary for the immediate preservation of the public peace, health and
 30 safety shall be in full force and effect from and after July 1, 2003.