

Stricken language will be deleted and underlined language will be added.
Act 746 of the Regular Session

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: S3/25/19
A Bill

HOUSE BILL 1082

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PROVIDING PAYMENT OF CLAIMS TO SURVIVING SPOUSES AND/OR DEPENDENT CHILDREN OF POLICEMEN, FIREMEN, CORRECTIONAL OFFICERS AND OTHER SPECIFIED STATE 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 FISCAL YEAR ENDING JUNE 30, 2020; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS STATE CLAIMS COMMISSION APPROPRIATION FOR THE 2019-2020 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Arkansas State Claims Commission for the 2019-2020 fiscal year, the following maximum number of regular employees.

Item	Class	No.	Code	Title	Maximum	Maximum Annual
					Employees	Salary Rate
					Fiscal Year	
						2019-2020



(1) N154N CLAIMS COMMISSION DIRECTOR	1	GRADE GS13
(2) C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
(3) C073C ADMINISTRATIVE SPECIALIST II	3	GRADE GS03
(4) U051U CLAIMS COMMISSIONER	<u>5</u>	GRADE GS02
MAX. NO. OF EMPLOYEES	10	

SECTION 2. APPROPRIATION - OPERATIONS. 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 fiscal year ending June 30, 2020, the following:

ITEM <u>NO.</u>	FISCAL YEAR <u>2019-2020</u>
(01) REGULAR SALARIES	\$355,986
(02) PERSONAL SERVICES MATCHING	132,491
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	92,390
(B) CONF. & TRAVEL	3,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$583,867</u>

SECTION 3. APPROPRIATION - CLAIMS. There is hereby appropriated, to the Arkansas State Claims Commission, to be payable from the Miscellaneous Revolving Fund, for payment of claims awarded to surviving spouses and/or dependent children of deceased policemen, firemen, correctional officers and other specified state employees killed in the official line of duty, as prescribed by law; for payment of small controversial claim awards made by the Arkansas State Claims Commission; and for payment of awards made by the Arkansas State Claims Commission, as provided by law, on non-controversial claims, for the fiscal year ending June 30, 2020, the following:

ITEM <u>NO.</u>	FISCAL YEAR <u>2019-2020</u>
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(01) CLAIMS FOR SURVIVING SPOUSES/DEPENDENT
 CHILDREN, SMALL CONTROVERSIAL CLAIMS
 AND SMALL NON-CONTROVERSIAL CLAIMS \$2,250,000

SECTION 4. APPROPRIATION - FIREFIGHTER BENEFIT REVIEW PANEL. There is hereby appropriated, to the Arkansas State Claims Commission, to be payable from the State Central Services Fund, for expense reimbursements for the Firefighter Benefit Review Panel the fiscal year ending June 30, 2020, the sum of.....\$8,000.

SECTION 5. Arkansas Code § 19-10-213 is amended to read as follows:
 19-10-213. Agency to pay claim - Employment compensation claims - Director disbursing officer.

(a)(1) In the event that any claim authorized herein is determined to be a valid claim against the state and the claim is to be paid from funds not in the State Treasury, the ~~Clerk~~ Director of the Arkansas State Claims Commission shall notify the agency against which the claim is to be charged of the amount of such claims.

(2) Upon receipt of such notification, the state agency shall forthwith deliver a check to the ~~clerk~~ director who shall deposit the same as a nonrevenue receipt into the Miscellaneous Revolving Fund from which he or she shall disburse the amount of the claim to the claimant.

(b)(1) The director shall distribute a warrant for the payment of a valid claim against the state for employment compensation claims in the manner provided by this subsection.

(2) If an employment compensation claim is determined to be a valid claim against the state, the director shall notify the state agency against which the claim is to be charged and the Office of Personnel Management of the amount of the claim.

(3) Upon receipt of the notification under this subsection, the state agency against which the claim is charged shall process the award through the state mechanized payroll system.

(c)(1) The director shall be the disbursing officer for the funds appropriated for expense reimbursements for the Firefighter Benefit Review Panel.

(2) Expense reimbursements under this subsection shall be paid to

the panel as certified in writing to the Arkansas State Claims Commission by the Chair of the Firefighter Benefit Review Panel.

(3) The commission may pay expense reimbursements for all unpaid meetings in prior state fiscal years.

SECTION 6. 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 Procurement 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 7. 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 8. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2019 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 legislative session, the delay in the effective date of this Act beyond July 1, 2019 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, 2019.

/s/Joint Budget Committee

APPROVED: 4/5/19