

**44.100 Compensation of board, assistant attorneys general or attorneys appointed by Governor -- Payment of awards -- Cost of operation.**

The assistant attorneys general or attorneys, appointed by the Governor to represent the Commonwealth's cabinets, departments, agencies or employees, agents or officers thereof, assigned to defend claims filed with the board shall receive no additional compensation for the performance of their duties before the board; provided, however, members of the board, assistant attorneys general and all employees acting for the board shall be recompensed for all necessary and actual expenses they may incur incident to their duties for or before the board. All awards and cost of operation assessed by the board against the Department of Highways shall be paid out of state road fund, upon warrants drawn by the secretary of the Finance and Administration Cabinet upon the State Treasurer. All awards and cost of operation assessed by the board against other cabinets or agencies of the state, which are not maintained by appropriations out of the general fund, shall be paid out of the funds created or collected for the maintenance and operation of such cabinets or agencies respectively, upon warrants drawn by the secretary of the Finance and Administration Cabinet upon the State Treasurer. All amounts necessary to pay awards and cost of operation assessed by the board against all other cabinets or agencies of the Commonwealth shall be paid out of the general fund of the Commonwealth, upon warrants drawn by the secretary of the Finance and Administration Cabinet upon the State Treasurer. The executive secretary of the board shall maintain accurate records reflecting the costs incident to the operation of the board. At the close of each quarter-year period he shall summarize the cost and shall bill each cabinet, commission, board or agency which has had cases before the board for a pro rata share of the cost of operation for the appropriate calendar quarter computed in a manner deemed just and equitable by the board. Each cabinet, commission, board or agency shall remit quarterly their share of the cost of operation to the board in the manner provided by law. The Board of Claims shall have the power and authority to determine the right of any successful party to an action before it to recover from the opposing party the costs incurred by him or it in such action; and such decision shall not be subject to appeal. Costs shall not include attorneys' fees.

**History:** Amended 1986 Ky. Acts ch. 499, sec. 5, effective July 15, 1986. -- Amended 1960 Ky. Acts ch. 25, sec. 5. -- Amended 1958 Ky. Acts ch. 52, sec. 2. -- Amended 1956 (1st Extra. Sess.) Ky. Acts ch. 7, Art. XIII, sec. 2. -- Amended 1950 Ky. Acts ch. 50, sec. 3. -- Created 1946 Ky. Acts ch. 189, secs. 7 and 8.

**Formerly codified as KRS 176.320.**