

Act 235 of the 1989 Regular Session.

Act 235

SB291

By: Joint Budget Committee

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES OF THE ARKANSAS PUBLIC SERVICE COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1991; AND FOR OTHER PURPOSES."

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

SECTION 1. REGULAR SALARIES - UTILITIES DIVISION. There is hereby established for the Arkansas Public Service Commission - Utilities Division for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	9993	PSC CHAIRMAN	1	\$56,770	\$58,189
(2)	9994	PSC COMMISSIONER	2	\$54,709	\$56,076
(3)	9907	PSC DIRECTOR	1	\$54,418	\$55,770
(4)	9745	PSC CHIEF COUNSEL	1	\$52,935	\$54,258
(5)	9746	PSC CHIEF ADMIN LAW JUDGE	1	\$52,935	\$54,258
(6)	9748	PSC DIRECTOR RESEARCH & MGMT SVCS	1	\$51,706	\$52,998
(7)	8040	PSC CHIEF OF AUDITS	1	\$51,706	\$52,998
(8)	9741	PSC ADMINISTRATIVE LAW JUDGE	3	\$45,959	\$47,108
(9)	009Z	PSC CHIEF OF COMPLIANCE	1		GRADE 25
	984Z	PSC CHIEF OF FIN & RESEARCH	1		
(10)	A198	PSC SR RATE CASE ANALYST	2		GRADE 24
	R292	PSC HEARING OFFICER	10		
(11)	A200	PSC RATES FINANCE SUPV	2		GRADE 23
	R478	PSC MANAGER, POWER & WATER SERVICES	1		
	R480	PSC MANAGER, TELECOMM SECTION	1		
	055Z	DATA PROCESSING MANAGER	1		
(12)	A072	PUBLIC UTILITY AUDITOR SUPERVISOR	7		GRADE 22
	X456	PSC RATE CASE ENGINEER	3		
(13)	A116	RATE ANALYST III	10		GRADE 21
(14)	A038	FINANCIAL ANALYST	2		GRADE 20
	A076	PUBLIC UTILITY AUDITOR II	14		
	D036	SR PROGRAMMER/ANALYST	2		
	826Z	AGENCY DIR RESEARCH & STATISTICS	1		
(15)	X438	PSC UTILITY SERVICES SUPERVISOR	1		GRADE 19
(16)	R150	RESEARCH PROJECT ANALYST	4		GRADE 18
	A006	ACCOUNTING SUPV I	1		
(17)	A004	ACCOUNTANT II	1		GRADE 17
	K188	PSC MANAGER, COMM DOCKETS	1		

	X458 ENGINEER TECH SUPERVISOR	2	
(18)	R010 ADMINISTRATIVE ASSISTANT II	5	GRADE 16
	X333 ENGINEER TECHNICIAN	3	
(19)	K186 WORD PROCESSING SUPV	1	GRADE 15
	X307 COMPLAINTS INVESTIGATOR	2	
(20)	R009 ADMINISTRATIVE ASSISTANT I	2	GRADE 14
	R015 AGENCY DATA SYSTEMS COORDINATOR	1	
(21)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 13
(22)	K039 DOCUMENT EXAMINER II	2	GRADE 12
	K117 MEDICAL OR LEGAL SECRETARY	5	
	K179 SECRETARY/WORD PROCESS SPECIALIST	4	
(23)	K153 SECRETARY II	1	GRADE 11
(24)	K103 REPRO EQUIP OPR II/REPRO EQUIP OPR	1	GRADE 09
	MAX NO. OF EMPLOYEES	107	

SECTION 2. EXTRA HELP - UTILITIES DIVISION. There is hereby authorized, for the Arkansas Public Service Commission - Utilities Division for the 1989-91 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: Six (6) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification.

SECTION 3. APPROPRIATIONS - UTILITIES DIVISION. There is hereby appropriated, to the Arkansas Public Service Commission - Utilities Division, to be payable from the Public Service Commission Fund, for personal services and operating expenses of the Arkansas Public Service Commission - Utilities Division for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 3,160,512	\$ 3,160,512
(02) EXTRA HELP	10,000	10,000
(03) PERSONAL SERV MATCHING	709,814	735,583
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 759,326	\$ 759,326
(B) CONF. & TRAVEL	67,826	67,826
(C) PROF. FEES	63,302	63,302
(D) CAPITAL OUTLAY	35,000	30,000
(E) DATA PROCESSING	23,521	23,521
TOTAL MAINT. & GEN. OPER.	948,975	943,975
(05) FERC LEGAL FEES	421,251	421,251
(06) PROFESSIONAL SERVICES	420,994	420,994
(07) DATA PROCESSING-PSC DIVISIONS	235,635	0
TOTAL AMOUNT APPROPRIATED	\$ 5,907,181	\$ 5,692,315
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SECTION 4. REGULAR SALARIES - PIPELINE SAFETY PROGRAM. There is hereby established for the Arkansas Public Service Commission - Pipeline Safety Program for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Maximum Annual

Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	9747	PSC DIRECTOR OF QUALITY SERVICES	1	\$47,560	\$48,749
(2)	R482	PSC MANAGER, GAS & PIPELINE SECTION	1		GRADE 22
	X456	PSC RATE CASE ENGINEER	2		
(3)	X458	ENGINEER TECH SUPERVISOR	1		GRADE 17
(4)	R010	ADMINISTRATIVE ASSISTANT II	1		GRADE 16
(5)	K117	MEDICAL OR LEGAL SECRETARY	1		GRADE 12
		MAX NO. OF EMPLOYEES	7		

SECTION 5. APPROPRIATIONS - PIPELINE SAFETY PROGRAM. There is hereby appropriated, to the Arkansas Public Service Commission - Pipeline Safety Program, to be payable from the Public Service Utility Safety Fund, for personal services and operating expenses of the Arkansas Public Service Commission - Pipeline Safety Program for the biennial period ending June 30, 1991, the following:

ITEM NO.		FISCAL YEARS	
		1989-90	1990-91
(01)	REGULAR SALARIES	\$ 206,756	\$ 208,830
(02)	PERSONAL SERV MATCHING	46,049	47,742
(03)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSES	\$ 32,187	\$ 32,187
	(B) CONF. & TRAVEL	15,620	15,620
	(C) PROF. FEES	5,617	5,617
	(D) CAPITAL OUTLAY	2,600	500
	(E) DATA PROCESSING	0	0
	TOTAL MAINT. & GEN. OPER.	56,024	53,924
	TOTAL AMOUNT APPROPRIATED	\$ 308,829	\$ 310,496

SECTION 6. REGULAR SALARIES - TAX DIVISION. There is hereby established for the Arkansas Public Service Commission - Tax Division for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	067Z	PSC TAX DIVISION DIRECTOR	1		GRADE 24
(2)	A150	TAX DIV ASST DIRECTOR	1		GRADE 21
(3)	A038	FINANCIAL ANALYST	1		GRADE 20
(4)	A006	ACCOUNTING SUPV I	1		GRADE 18
	R264	MANAGEMENT PROJECT ANALYST I	1		
(5)	A004	ACCOUNTANT II	1		GRADE 17
(6)	R010	ADMINISTRATIVE ASSISTANT II	1		GRADE 16
(7)	R009	ADMINISTRATIVE ASSISTANT I	1		GRADE 14
(8)	K039	DOCUMENT EXAMINER II	3		GRADE 12
		MAX NO. OF EMPLOYEES	11		

SECTION 7. APPROPRIATIONS - TAX DIVISION. There is hereby appropriated,

to the Arkansas Public Service Commission - Tax Division, to be payable from the Tax Division Fund, for personal services and operating expenses of the Arkansas Public Service Commission - Tax Division for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 204,858	\$ 210,300
(02) PERSONAL SERV MATCHING	50,831	53,951
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 46,580	\$ 58,226
(B) CONF. & TRAVEL	4,000	4,300
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	6,250	4,650
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	56,830	67,176
TOTAL AMOUNT APPROPRIATED	\$ 312,519	\$ 331,427
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SECTION 8. REGULAR SALARIES - ASSESSMENT COORDINATION DIVISION. There is hereby established for the Arkansas Public Service Commission - Assessment Coordination Division for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	057Z	PSC ACD DIRECTOR	1	GRADE 24	
(2)	058Z	PSC ACD REALTY APPRAIS MANAGER	1	GRADE 21	
	D042	SYSTEMS ANALYST II	1		
(3)	059Z	PSC ACD RES & ADM MANAGER	1	GRADE 20	
	D038	SYSTEMS PROGRAMMER	1		
(4)	D040	SYSTEMS ANALYST I	1	GRADE 19	
(5)	X390	REALTY APPRAISER SUPV	4	GRADE 18	
(6)	X459	RURAL LAND SPECIALIST	1	GRADE 17	
(7)	D001	APPLICATIONS PROGRAMMER/APPL PGMR I	3	GRADE 16	
	X389	REALTY APPRAISER III	15		
	R010	ADMINISTRATIVE ASSISTANT II	1		
(8)	X387	REALTY APPRAISER II	4	GRADE 15	
(9)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 14	
	D035	PROGRAMMER TRAINEE	1		
(10)	D013	DATA CONTROL TECHNICIAN	2	GRADE 13	
(11)	K115	STATISTICIAN ASST II/STATISTICIAN I	2	GRADE 12	
(12)	K153	SECRETARY II	1	GRADE 11	
(13)	K023	CLERK TYPIST II	1	GRADE 07	
		MAX NO. OF EMPLOYEES	42		

SECTION 9. EXTRA HELP - ASSESSMENT COORDINATION DIVISION. There is hereby authorized, for the Arkansas Public Service Commission - Assessment Coordination Division for the 1989-91 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: Three (3) temporary or part-time

employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification.

SECTION 10. APPROPRIATIONS - ASSESSMENT COORDINATION DIVISION. There is hereby appropriated, to the Arkansas Public Service Commission - Assessment Coordination Division, to be payable from the State General Services Fund Account, for personal services and operating expenses of the Arkansas Public Service Commission - Assessment Coordination Division for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 767,232	\$ 800,079
(02) EXTRA HELP	1,000	1,000
(03) PERSONAL SERV MATCHING	190,232	205,565
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 300,200	\$ 305,200
(B) CONF. & TRAVEL	34,470	34,470
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	7,500	7,500
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	342,170	347,170
(05) D P GRANTS TO COUNTIES	60,000	60,000
(06) ASSESSOR'S SCHOOL	47,000	47,000
TOTAL AMOUNT APPROPRIATED	\$ 1,407,634	\$ 1,460,814
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SECTION 11. APPROPRIATIONS - ASSESSMENT COORDINATION DIVISION - CASH. There is hereby appropriated to the Arkansas Public Service Commission, to be payable from cash funds of the Arkansas Public Service Commission - Assessment Coordination Division, for operating expenses of the Arkansas Public Service Commission - Assessment Coordination Division - Cash for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 21,174	\$ 21,174
(B) CONF. & TRAVEL	11,236	11,236
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	32,410	32,410
TOTAL AMOUNT APPROPRIATED	\$ 32,410	\$ 32,410
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SECTION 12. APPROPRIATIONS - CONTINGENCY. There is hereby appropriated, to the Arkansas Public Service Commission, to be payable from the Public Service Commission Fund, for personal services and operating expenses of the Arkansas Public Service Commission for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) CONTINGENCY	\$ 1,000,000	\$ 1,000,000
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SECTION 13. CONTINGENCY RESTRICTION. In the event of unforeseen conditions, additional appropriations become necessary that are not authorized

or contemplated in Section 3 of this Act and such events make it necessary that the Public Service Commission - Utilities Division receives additional appropriations to carry out the objectives of the agency, the Director of the Public Service Commission is hereby authorized to request the approval of the Governor and the Chief Fiscal Officer of the State, as hereinafter provided, for transfer of the additional appropriations provided in Section 12 to the appropriations provided the Utilities Division by Section 3, but in no event shall the transfers exceed the appropriations provided in Section 12 of this Act. Whenever the Director of the Public Service Commission deems it necessary to establish additional appropriations as authorized herein, he shall file with the Governor a written report accompanied by necessary supporting documents setting forth the facts, justifications, and circumstances that necessitate such appropriation. Upon receipt of such reports and supporting documents, the Governor, or his designee, shall study the same, and if he shall determine that such additional appropriations are being sought in strict compliance with this Act, the Governor, after seeking prior review by the Arkansas Legislative Council or the Joint Budget Committee, may approve or modify such request for additional appropriations as in his judgement he deems necessary, and shall forward a copy thereof to the Chief Fiscal Officer of the State. Upon receipt thereof, the Chief Fiscal Officer of the State shall direct the State Auditor to process said transfer upon his books in accordance with the provisions as set out therein.

SECTION 14. SPECIAL RATES OF PAY. Due to the highly competitive job market conditions for utility rate case professionals and the necessity of recruiting and retaining qualified personnel, the Public Service Commission is authorized special rates of pay for current and new employees in the classification listed under subsection (a) below.

(a) Special rates may be authorized up to the maximum authorized for the grade assigned the classification of a position for the following specific classifications only:

Class Code	Title	Grade
009Z	PSC CHIEF OF COMPLIANCE	25
984Z	PSC CHIEF OF FIN & RESEARCH	25
R292	PSC HEARING OFFICER	24
A198	PSC SENIOR RATE CASE ANALYST	24
A200	PSC RATES FINANCE SUPV	23
R478	PSC MANAGER, POWER & WATER SVCS	23
R480	PSC MANAGER, TELECOMM SECT	23
055Z	PSC DATA PROCESSING MANAGER	23
R482	PSC MANAGER, GAS & PIPELINE	22
A072	PSC PUBLIC UTILITY AUDITOR SUPV	22
X456	PSC RATE CASE ENGINEER	22
A116	RATE ANALYST III	21
A076	PUBLIC UTILITY AUDITOR II	20
A038	FINANCIAL ANALYST	20
826Z	AGENCY DIR RESEARCH & STAT	20
D036	SR PROGRAMMER ANALYST	20
X438	PSC UTILITY SERVICES SUPV	19
A080	RATE ANALYST II	19
A074	PUBLIC UTILITY AUDITOR I	18
A078	RATE ANALYST I	18
R150	RESEARCH PROJECT ANALYST	18
A006	ACCOUNTING SUPERVISOR I	18
X458	ENGINEER TECHNICIAN SUPV	17
X333	ENGINEER TECHNICIAN	16

(b) A monthly report shall be made to the Arkansas Legislative Council describing all personnel transactions involving applications of any of the provisions of this Section.

(c) This provision shall be in full force and effect for the biennium beginning July 1, 1989, and ending June 30, 1991.

SECTION 15. CARRY FORWARD. Any unexpended balance of the appropriation authorized in Item (07) of Section 3 of this Act which remains at the close of the fiscal year ending June 30, 1990, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, 1991.

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

SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh 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, 1989 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, 1989 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, 1989.

APPROVED: February 24, 1989
