

State of Arkansas
 77th General Assembly
 First Extraordinary Session, 1989
 By:Joint Budget Committee

SB68

For An Act To Be Entitled
 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
 OPERATING EXPENSES OF THE WORKERS COMPENSATION 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 - RESEARCH AND STATISTICS DIVISION. There is hereby established for the Workers Compensation Commission 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 | Class | No. | Code | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Years | |
|------|-------|-----|------|-----------------------------------|--------------------------------|---|----------|
| | | | | | | 1989-90 | 1990-91 |
| (1) | 826Z | 1 | | AGENCY DIR RESEARCH & STATISTICS | | | GRADE 20 |
| (2) | R162 | 2 | | STATISTICIAN/STATISTICIAN II | | | GRADE 16 |
| (3) | K179 | 1 | | SECRETARY/WORD PROCESS SPECIALIST | | | GRADE 12 |
| | | | | MAX NO. OF EMPLOYEES | 4 | | |

SECTION 2. APPROPRIATIONS - RESEARCH AND STATISTICS DIVISION - STATE. There is hereby appropriated, to the Workers Compensation Commission - Research and Statistics Division - State, to be payable from the Worker's

Compensation Fund, for personal services and operating expenses of the Workers Compensation Commission - Research and Statistics Division - State for the biennial period ending June 30, 1991, the following:

| ITEM NO. | FISCAL YEARS | |
|------------------------------|--------------|-----------|
| | 1989-90 | 1990-91 |
| (01) REGULAR SALARIES | \$ 36,838 | \$ 38,864 |
| (02) PERSONAL SERV MATCHING | 9,798 | 10,688 |
| (03) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSES | \$ 13,593 | \$ 13,593 |
| (B) CONF. & TRAVEL | 2,992 | 2,992 |
| (C) PROF. FEES | 16,987 | 16,987 |
| (D) CAPITAL OUTLAY | 615 | 615 |
| (E) DATA PROCESSING | 0 | 0 |
| TOTAL MAINT. & GEN. OPER. | 34,187 | 34,187 |
| (04) INDIRECT COST | 21,015 | 21,015 |
| TOTAL AMOUNT APPROPRIATED | \$ 97,590 | \$ 99,065 |

SECTION 3. APPROPRIATIONS - RESEARCH AND STATISTICS DIVISION - FEDERAL.

There is hereby appropriated, to the Workers Compensation Commission - Research and Statistics Division - Federal, to be payable from the Worker's Compensation Federal Fund, for personal services and operating expenses of the Workers Compensation Commission - Research and Statistics Division for the biennial period ending June 30, 1991, the following:

| ITEM NO. | FISCAL YEARS | |
|------------------------------|--------------|-----------|
| | 1989-90 | 1990-91 |
| (01) REGULAR SALARIES | \$ 36,838 | \$ 38,864 |
| (02) PERSONAL SERV MATCHING | 9,798 | 10,688 |
| (03) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSES | \$ 13,593 | \$ 13,593 |
| (B) CONF. & TRAVEL | 2,992 | 2,992 |
| (C) PROF. FEES | 16,987 | 16,987 |
| (D) CAPITAL OUTLAY | 615 | 615 |
| (E) DATA PROCESSING | 0 | 0 |
| TOTAL MAINT. & GEN. OPER. | 34,187 | 34,187 |
| (04) INDIRECT COST | 21,015 | 21,015 |

TOTAL AMOUNT APPROPRIATED

\$ 97,590 \$ 99,065

SECTION 4. REGULAR SALARIES - ADMINISTRATION. There is hereby established for the Workers Compensation Commission 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 | |
|----------|--------------|--------------------------------|--------------------------|----------------------------|----------|
| | | | | 1989-90 | 1990-91 |
| (1) | 9997 WK CMP | COMMISSION CHAIRMAN | 1 | \$59,000 | \$60,000 |
| (2) | 9991 WK CMP | COMMISSIONER | 2 | \$58,000 | \$59,000 |
| (2a) | 9808 WCC | CHIEF ADMIN. LAW JUDGE | 1 | \$51,000 | 53,000 |
| (3) | 9750 WCC | ADMINISTRATIVE LAW JUDGE | 12 | \$48,000 | \$49,000 |
| (3a) | 9801 WCC | DIRECTOR | 1 | \$55,075 | \$58,130 |
| (4) | R407 WCC | DEPARTMENT HEAD | 6 | | GRADE 26 |
| | 769Z WC | CHIEF LEGAL ADVISOR | 1 | | |
| (5) | 764Z WCC | SR SPECIAL FUNDS DEFENSE ATTY | 3 | | GRADE 24 |
| | R405 WCC | LEGAL ADVISOR | 5 | | |
| (6) | 766Z WK CMP | PROGRAM MANAGER | 2 | | GRADE 23 |
| (7) | 909Z | PROGRAM SUPPORT MANAGER | 1 | | GRADE 22 |
| | R472 | WORKERS COMP DEP EXEC DIRECTOR | 4 | | |
| | R484 WK COMP | SECOND INJURY FUND OFFICER | 1 | | |
| (8) | A116 | RATE ANALYST III | 1 | | GRADE 21 |
| | 700Z WCC | OFFICE MANAGER | 1 | | |
| (9) | D038 | SYSTEMS PROGRAMMER | 1 | | GRADE 20 |
| | R314 WK CMP | ASST EXEC SEC/OPR MGR | 1 | | |
| (10) | K043 | HEARING REPORTER | 3 | | GRADE 19 |
| (11) | R264 | MANAGEMENT PROJECT ANALYST I | 2 | | GRADE 18 |

| | | | |
|------|--|----------|----------|
| | R256 LIBRARIAN III | 1 | |
| | A006 ACCOUNTING SUPV I | 1 | |
| (12) | A004 ACCOUNTANT II | 1 | GRADE 17 |
| | R402 WK CMP SELF-INSURERS ASST ADMR | 1 | |
| | R430 ADMINISTRATIVE OFFICER | 1 | |
| | R030 ASST PERSONNEL MANAGER | 1 | |
| (13) | R010 ADMINISTRATIVE ASSISTANT II | 2 | GRADE 16 |
| (14) | A002 ACCOUNTANT I | 3 | GRADE 15 |
| | X361 INSURANCE INVESTIGATOR | 4 | |
| (15) | R009 ADMINISTRATIVE ASSISTANT I | 23 | GRADE 14 |
| | K087 OFFICE SERVICES SUPV/OFFICE MANAGER | 1 | |
| (16) | K041 EXECUTIVE SECY/ADMINISTRATIVE SECY | 1 | GRADE 13 |
| | K079 MICRO-PHOTOGRAPHER SUPERVISOR | 1 | |
| | K163 DATA ENTRY SUPV II | 1 | |
| (17) | K179 SECRETARY/WORD PROCESS SPECIALIST | 1 | GRADE 12 |
| | D003 COMPUTER OPERATOR I | 4 | |
| (18) | A013 BOOKKEEPER II/ACCOUNTING ASST II | 2 | GRADE 11 |
| | K153 SECRETARY II | 6 | |
| | K170 MAILROOM SUPV | 1 | |
| (19) | K005 CLAIMS EXAMINER | 1 | GRADE 10 |
| (20) | K077 MICRO-PHOTOGRAPHER II | 1 | GRADE 09 |
| | K155 SECRETARY I | 5 | |
| (21) | K007 CLAIMS FILE EXAMINER | 6 | GRADE 08 |
| | K065 MAIL OFFICER | 1 | |
| (22) | C011 SWITCHBOARD OPERATOR II | 1 | GRADE 07 |
| | K017 CLERK STENO | <u>1</u> | |
| | MAX NO. OF EMPLOYEES | 119 | |

SECTION 5. APPROPRIATIONS - ADMINISTRATION. There is hereby appropriated, to the Workers Compensation Commission, to be payable from the Worker's Compensation Fund, for personal services and operating expenses of the Workers Compensation Commission - Administration for the biennial period ending June 30, 1991, the following:

| ITEM NO. | FISCAL YEARS | |
|-----------------------|--------------|--------------|
| | 1989-90 | 1990-91 |
| (01) REGULAR SALARIES | \$ 2,978,869 | \$ 3,148,641 |

| | | | |
|------------------------------|--------------|--------------|--------------|
| (02) PERSONAL SERV MATCHING | | 744,717 | 787,160 |
| (03) MAINT. & GEN. OPERATION | | | |
| (A) OPER. EXPENSES | \$ 1,685,491 | \$ 1,685,491 | |
| (B) CONF. & TRAVEL | 34,862 | 34,862 | |
| (C) PROF. FEES | 88,097 | 88,097 | |
| (D) CAPITAL OUTLAY | 104,770 | 41,240 | |
| (E) DATA PROCESSING | 10,000 | 10,000 | |
| TOTAL MAINT. & GEN. OPER. | | 1,923,220 | 1,859,690 |
| TOTAL AMOUNT APPROPRIATED | | \$ 5,128,656 | \$ 5,157,584 |

SECTION 6. APPROPRIATIONS. There is hereby appropriated, to the Workers Compensation Commission, to be payable from the Justice Building Rental Trust Fund, for rental of office space for the Workers Compensation Commission for the biennial period ending June 30, 1991, the following:

| ITEM | FISCAL YEARS | |
|---------------------------|---------------|---------------|
| NO. _____ | 1989-90 _____ | 1990-91 _____ |
| (01) RENT OF OFFICE SPACE | \$ 85,000 | \$ 85,000 |

SECTION 7. APPROPRIATIONS - CLAIMS. There is hereby appropriated, to the Workers Compensation Commission, to be payable from the Death and Permanent Total Disability Trust Fund, for death and total disability claims for the biennial period ending June 30, 1991, the following:

| ITEM | FISCAL YEARS | |
|-------------|---------------|---------------|
| NO. _____ | 1989-90 _____ | 1990-91 _____ |
| (01) CLAIMS | \$ 4,162,813 | \$ 4,162,813 |

SECTION 8. APPROPRIATIONS. There is hereby appropriated, to the Workers Compensation Commission, to be payable from the Second Injury Trust Fund, for payment of second injury claims for the biennial period ending June 30, 1991, the following:

| ITEM | FISCAL YEARS | |
|-------------|---------------|---------------|
| NO. _____ | 1989-90 _____ | 1990-91 _____ |
| (01) CLAIMS | \$ 3,000,000 | \$ 3,000,000 |

SECTION 9. APPROPRIATIONS - WORKERS COMPENSATION SEMINAR - CASH. There is hereby appropriated, to the Workers Compensation Commission, to be payable from the cash funds of the Workers Compensation Commission, for operating expenses of the Workers Compensation Commission for the biennial period ending June 30, 1991, the following:

| ITEM | FISCAL YEARS | |
|------------------------------|---------------|---------------|
| NO. _____ | 1989-90 _____ | 1990-91 _____ |
| (01) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSES \$ | 7,000 | \$ 7,000 |
| (B) CONF. & TRAVEL | 3,500 | 3,500 |
| (C) PROF. FEES | 1,500 | 1,500 |
| (D) CAPITAL OUTLAY | 0 | 0 |
| (E) DATA PROCESSING _____ | 0 | 0 |
| TOTAL MAINT. & GEN. OPER. | _____ 12,000 | _____ 12,000 |
| TOTAL AMOUNT APPROPRIATED | \$ 12,000 | \$ 12,000 |

SECTION 10. SPECIAL RATES OF PAY. Due to the inability to attract and retain experienced professionals in the various fields of workers' compensation law and insurance, the Workers' Compensation Commission is authorized to pay up to the maximum authorized for the grade assigned for the classifications of positions below:

- 764Z WCC SR SPECIAL FUNDS DEFENSE ATTY
- 766Z WCC CMP PROGRAM MANAGER
- R472 WORKERS COMP DEP EXEC DIRECTOR
- R484 WK COMP SECOND INJURY FUND OFFICER
- K043 HEARING REPORTER

SECTION 11. No monies appropriated by this Act, or Act 1046 of 1987, or any other Act shall be expended to fund preliminary conferences held pursuant to Arkansas Code __ 11-9-102, 11-9-205, 11-9-501 - 503, 11-9-517, 11-9-521 - 522, 11-9-527, 11-9-701 - 704, 11-9-715, 11-9-802, 11-9-804 other than in the county where the accident occurred, if the same occurred in this State, the county of the claimant's residence, or such other county as agreed to by the parties.

SECTION 12. 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 13. 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 14. 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. Act 827 of 1989 is hereby repealed.

SECTION 15. 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.

