

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL 389

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE WORKERS COMPENSATION COMMISSION
10 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR
11 OTHER PURPOSES."

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

15 SECTION 1. REGULAR SALARIES - RESEARCH STATISTICS DIVISION. There is
16 hereby established for the Workers Compensation Commission for the 1991-93
17 biennium, the following maximum number of regular employees whose salaries
18 shall be governed by the provisions of the Uniform Classification and
19 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
20 laws amendatory thereto. Provided, however, that any position to which a
21 specific maximum annual salary is set out herein in dollars, shall be exempt
22 from the provisions of said Uniform Classification and Compensation Act. All
23 persons occupying positions authorized herein are hereby governed by the
24 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
25 Code §21-5-101), or its successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1991-92	1992-93
31	(1) R133	AGENCY DIRECTOR RESEARCH & STATS	1	GRADE 20	
32	(2) R162	STATISTICIAN/STATISTICIAN II	2	GRADE 17	
33	(3) K153	SECRETARY II	<u>1</u>	GRADE 13	
34		MAX NO. OF EMPLOYEES	4		

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1 SECTION 2. REGULAR SALARIES - ADMINISTRATION. There is hereby
 2 established for the Workers Compensation Commission for the 1991-93 biennium,
 3 the following maximum number of regular employees whose salaries shall be
 4 governed by the provisions of the Uniform Classification and Compensation Act
 5 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
 6 thereto. Provided, however, that any position to which a specific maximum
 7 annual salary is set out herein in dollars, shall be exempt from the
 8 provisions of said Uniform Classification and Compensation Act. All persons
 9 occupying positions authorized herein are hereby governed by the provisions of
 10 the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
 11 101), or its successor.

			Maximum Annual		
			Maximum	Salary Rate	
			No. of	Fiscal Years	
Item	Class		Employees	1991-92	1992-93
16	No. Code Title				
17	(1) 9997 WK CMP COMMISSION CHAIRMAN		1	\$ 66,055	\$ 69,357
18	(2) 9991 WK CMP COMMISSIONER		2	\$ 64,954	\$ 68,201
19	(3) 9808 WCC CHIEF ADMIN LAW JUDGE		1	\$ 58,348	\$ 61,265
20	(4) 9801 WCC DIRECTOR		1	\$ 58,348	\$ 61,265
21	(5) 9750 ADMINISTRATIVE LAW JUDGE		12	\$ 53,944	\$ 56,641
22	(6) 127Z WCC DEPARTMENT HEAD		6	GRADE 26	
23	R038 ATTORNEY SUPERVISOR		1		
24	(7) R170 ATTORNEY SPECIALIST		3	GRADE 25	
25	(8) R036 ATTORNEY		5	GRADE 24	
26	(9) D080 APPLICATIONS & SYSTEMS MANAGER		2	GRADE 23	
27	766Z WK CMP PROGRAM MANAGER		2		
28	(10) 909Z PROGRAM SUPPORT MANAGER		1	GRADE 22	
29	R472 WORKERS COMP DEP EXEC DIRECTOR		4		
30	R484 WC CLAIMS MANAGER		1		
31	(11) A116 RATE ANALYST III		1	GRADE 21	
32	D123 APPLICATIONS & SYSTEMS ANALYST		1		
33	(12) A006 ACCOUNTING SUPV I		2	GRADE 20	
34	X323 WC COMPLIANCE OFFICER		1		
35	R082 WCC OFFICE MANAGER		1		
36	(13) K043 HEARING REPORTER		3	GRADE 19	

1	E039 LIBRARIAN III	1	
2	R030 ASST PERSONNEL MANAGER	1	
3	(14) A111 ACCOUNTANT	1	GRADE 18
4	R264 MANAGEMENT PROJECT ANALYST I	2	
5	(15) R402 WC SELF INSURERS PROGRAM COORD	1	GRADE 17
6	R430 ADMINISTRATIVE OFFICER	1	
7	R010 ADMINISTRATIVE ASSISTANT II	2	
8	(16) R009 ADMINISTRATIVE ASSISTANT I	23	GRADE 15
9	V051 STOREROOM SUPV/STORE SUPV	1	
10	X361 INSURANCE INVESTIGATOR	4	
11	K011 ADMIN SUPPORT SUPERVISOR	2	
12	A108 ACCOUNTING TECHNICIAN II	1	
13	(17) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
14	K079 MICRO-PHOTOGRAPHER SUPERVISOR	1	
15	(18) D003 COMPUTER OPERATOR I	5	GRADE 13
16	K153 SECRETARY II	10	
17	(19) K039 DOCUMENT EXAMINER II	1	GRADE 12
18	(20) K078 ARCHIVAL MICRO-PHOTOGRAPHER	1	GRADE 11
19	K155 SECRETARY I	1	
20	(21) K037 DOCUMENT EXAMINER I	5	GRADE 10
21	K023 CLERK TYPIST	1	
22	(22) K015 OFFICE CLERK	<u>2</u>	GRADE 07
23	MAX NO. OF EMPLOYEES	119	

SECTION 3. 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 for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) REGULAR SALARIES	\$ 3,461,344	\$ 3,633,710
(02) PERSONAL SERV MATCHING	972,997	1,026,839
(03) MAINT. & GEN. OPERATION		

1	(A)	OPER. EXPENSES	\$ 1,393,044	\$ 1,393,284
2	(B)	CONF. & TRAVEL	52,096	52,096
3	(C)	PROF. FEES	122,071	122,071
4	(D)	CAPITAL OUTLAY	58,550	30,000
5	(E)	DATA PROCESSING	<u>10,000</u>	<u>10,000</u>
6		TOTAL MAINT. & GEN. OPER.		1,885,761 1,607,451
7	(04)	COMPUTER SOFTWARE/HARDWARE		<u>0</u> <u>0</u>
8		TOTAL AMOUNT APPROPRIATED		<u>\$ 6,320,102</u> <u>\$ 6,268,000</u>

10 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the Workers
 11 Compensation Commission, to be payable from the Justice Building Rental Trust
 12 Fund, for rental of office space for the Workers Compensation Commission for
 13 the biennial period ending June 30, 1993, the following:

15	ITEM	FISCAL YEARS	
16	NO.	1991-92	1992-93
17	(01) RENT OF OFFICE SPACE	<u>\$ 85,000</u>	<u>\$ 85,000</u>

19 SECTION 5. APPROPRIATIONS - CLAIMS. There is hereby appropriated, to
 20 the Workers Compensation Commission, to be payable from the Death and
 21 Permanent Total Disability Trust Fund, for death and total disability claims
 22 allowed by the Workers Compensation Commission for the biennial period ending
 23 June 30, 1993, the following:

25	ITEM	FISCAL YEARS	
26	NO.	1991-92	1992-93
27	(01) CLAIMS	<u>\$ 4,162,813</u>	<u>\$ 4,162,813</u>

29 SECTION 6. APPROPRIATIONS - SECOND INJURY CLAIMS. There is hereby
 30 appropriated, to the Workers Compensation Commission, to be payable from the
 31 Second Injury Trust Fund, for payment of second injury claims for the biennial
 32 period ending June 30, 1993, the following:

34	ITEM	FISCAL YEARS	
35	NO.	1991-92	1992-93

1 (01) CLAIMS \$ 3,000,000 \$ 3,000,000

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3 SECTION 7. STATISTICAL DATA COLLECTION. The Workers' Compensation
4 Commission shall publish annually, on an aggregate basis, information
5 pertaining to the distribution of workers' compensation insurance premiums,
6 losses, expenses, and net income to be compiled from reports required to be
7 filed with the Arkansas Insurance Commissioner pursuant to A.C.A. Section 23-
8 63-216, as amended, or any similar information required to be filed by the
9 Insurance Commissioner regarding workers' compensation insurance. The
10 Workers' Compensation Commission shall also publish in that same annual report
11 information regarding aggregate workers' compensation benefit distribution to
12 claimants, medical providers and attorneys if that specific information or
13 similar information becomes available from revised or additional reporting
14 requirements that may be required by the Arkansas Insurance Commissioner.

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16 SECTION 8. No monies appropriated by this Act, or Act 1046 of 1987, or
17 any other Act shall be expended to fund preliminary conferences held pursuant
18 to Arkansas Code 11-9-102, 11-9-205, 11-9-501 - 503, 11-9-517, 11-9-521 -
19 522, 11-9-527, 11-9-701 - 704, 11-9-715, 11-9-802, 11-9-804 other than in the
20 county where the accident occurred, if the same occurred in this State, the
21 county of the claimant's residence, or such other county as agreed to by the
22 parties.

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24 SECTION 9. CARRY FORWARD. Any unexpended balance of appropriation
25 provided for purchase of computer software and hardware by Item (04) in
26 Section 5 of this Act, which remains at the close of the fiscal year ending
27 June 30, 1992, shall be carried forward and made available for the same
28 purpose for the fiscal year ending June 30 1993. Provided further, no
29 expenditures shall be made from Item (04) in Section 5 until a proposal for
30 such expenditures is reviewed by the Communications Study Committee.

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32 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
33 authorized by this Act shall be limited to the appropriation for such agency
34 and funds made available by law for the support of such appropriations; and
35 the restrictions of the State Purchasing Law, the General Accounting and

1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
2 Procedures and Restrictions Act, or their successors, and other fiscal control
3 laws of this State, where applicable, and regulations promulgated by the
4 Department of Finance and Administration, as authorized by law, shall be
5 strictly complied with in disbursement of said funds.

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

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16 SECTION 12. CODE. All provisions of this Act of a general and
17 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
18 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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20 SECTION 13. SEVERABILITY. If any provision of this Act or the
21 application thereof to any person or circumstance is held invalid, such
22 invalidity shall not affect other provisions or applications of the Act which
23 can be given effect without the invalid provision or application, and to this
24 end the provisions of this Act are declared to be severable.

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26 SECTION 14. GENERAL REPEALER. All laws and parts of laws in conflict
27 with this Act are hereby repealed.

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29 SECTION 15. HEALTH PREMIUMS. The Workers Compensation Commission shall
30 not, during the 1992-93 fiscal year, spend more for health insurance per
31 employee than the amount being contributed to the State Employees Health
32 Insurance Program.

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34 SECTION 16. EMERGENCY CLAUSE. It is hereby found and determined by the
35 Seventy-Eighth General Assembly, that the Constitution of the State of

1 Arkansas prohibits the appropriation of funds for more than a two (2) year
2 period; that the effectiveness of this Act on July 1, 1991 is essential to the
3 operation of the agency for which the appropriations in this Act are provided,
4 and that in the event of an extension of the Regular Session, the delay in the
5 effective date of this Act beyond July 1, 1991 could work irreparable harm
6 upon the proper administration and provision of essential governmental
7 programs. Therefore, an emergency is hereby declared to exist and this Act
8 being necessary for the immediate preservation of the public peace, health and
9 safety shall be in full force and effect from and after July 1, 1991.

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