

Stricken language will be deleted and underlined language will be added.  
Act 129 of the Fiscal Session

1 State of Arkansas  
2 87th General Assembly  
3 Fiscal Session, 2010  
4

# A Bill

SENATE BILL 23

5 By: Joint Budget Committee  
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## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE WORKERS'  
11 COMPENSATION COMMISSION FOR THE FISCAL YEAR  
12 ENDING JUNE 30, 2011; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE WORKERS' COMPENSATION  
16 COMMISSION APPROPRIATION FOR THE 2010-  
17 2011 FISCAL YEAR.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the Workers'  
24 Compensation Commission for the 2010-2011 fiscal year, the following maximum  
25 number of regular employees whose salaries shall be governed by the  
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
28 Provided, however, that any position to which a specific maximum annual  
29 salary is set out herein in dollars, shall be exempt from the provisions of  
30 said Uniform Classification and Compensation Act. All persons occupying  
31 positions authorized herein are hereby governed by the provisions of the  
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
33 or its successor.  
34

35 Maximum Annual  
36 Maximum Salary Rate



1	Item	Class		No. of	Fiscal Year
2	No.	Code	Title	Employees	2010-2011
3	(1)	U100U	WCC CHAIRMAN	1	\$121,524
4	(2)	U007U	WCC COMMISSIONER	2	\$119,565
5	(3)	U046U	WCC CHIEF EXEC OFFICER	1	\$118,994
6	(4)	N070N	WCC ASST CHIEF EXECUTIVE OFFICER	1	GRADE N908
7	(5)	G005N	WCC CHIEF ADMIN LAW JUDGE	1	GRADE N908
8	(6)	G010N	WCC ADMINISTRATIVE LAW JUDGE	13	GRADE N906
9	(7)	G004C	MANAGING ATTORNEY	1	GRADE C129
10	(8)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
11	(9)	G007C	WCC DIVISION MANAGER	7	GRADE C128
12	(10)	G047C	ATTORNEY SPECIALIST	6	GRADE C126
13	(11)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
14	(12)	G073C	ATTORNEY	11	GRADE C124
15	(13)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
16	(14)	G093C	OPERATIONS MANAGER	1	GRADE C122
17	(15)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
18	(16)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE C121
19	(17)	G107C	WCC PROGRAM MANAGER	4	GRADE C121
20	(18)	L038C	REGISTERED NURSE	2	GRADE C120
21	(19)	D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE C119
22	(20)	D062C	DATABASE ANALYST	1	GRADE C119
23	(21)	R024C	ASST PERSONNEL MANAGER	1	GRADE C118
24	(22)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE C118
25	(23)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
26	(24)	C009C	HEARING REPORTER	4	GRADE C118
27	(25)	G168C	INDUSTRIAL CONSULTANT	5	GRADE C118
28	(26)	G160C	WCC PROGRAM COORDINATOR	2	GRADE C118
29	(27)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE C117
30	(28)	G179C	LEGAL SERVICES SPECIALIST	2	GRADE C117
31	(29)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116
32	(30)	X123C	INSURANCE INVESTIGATOR	3	GRADE C116
33	(31)	G193C	WCC PROGRAM SPECIALIST	6	GRADE C116
34	(32)	C036C	ADMINISTRATIVE REVIEW ANALYST	1	GRADE C115
35	(33)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	4	GRADE C113
36	(34)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113

1	(35)	C046C	LEGAL SUPPORT SPECIALIST	15	GRADE C113
2	(36)	C043C	RECORDS MANAGEMENT ANALYST	2	GRADE C113
3	(37)	C056C	ADMINISTRATIVE SPECIALIST III	30	GRADE C112
4	(38)	C073C	ADMINISTRATIVE SPECIALIST II	8	GRADE C109
5	(39)	C083C	MAIL SERVICES COORDINATOR	2	GRADE C107
6	(40)	C087C	ADMINISTRATIVE SPECIALIST I	<u>2</u>	GRADE C106
7			MAX. NO. OF EMPLOYEES	153	

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9 SECTION 2. EXTRA HELP. There is hereby authorized, for the Workers'  
 10 Compensation Commission for the 2010-2011 fiscal year, the following maximum  
 11 number of part-time or temporary employees, to be known as "Extra Help",  
 12 payable from funds appropriated herein for such purposes: two (2) temporary  
 13 or part-time employees, when needed, at rates of pay not to exceed those  
 14 provided in the Uniform Classification and Compensation Act, or its  
 15 successor, or this act for the appropriate classification.

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17 SECTION 3. APPROPRIATION - ADMINISTRATION. There is hereby appropriated,  
 18 to the Workers' Compensation Commission, to be payable from the Workers'  
 19 Compensation Fund, for personal services and operating expenses of the  
 20 Workers' Compensation Commission for the fiscal year ending June 30, 2011,  
 21 the following:

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23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2010-2011</u>
25	(01) REGULAR SALARIES	\$ 7,641,620
26	(02) EXTRA HELP	100,000
27	(03) PERSONAL SERVICES MATCHING	2,261,789
28	(04) OVERTIME	10,000
29	(05) MAINT. & GEN. OPERATION	
30	(A) OPER. EXPENSE	1,655,609
31	(B) CONF. & TRAVEL	96,096
32	(C) PROF. FEES	268,464
33	(D) CAP. OUTLAY	20,000
34	(E) DATA PROC.	0
35	(06) REFUND/REIMBURSEMENTS - ADMIN	685,500
36	(07) INVESTMENTS	15,000,000

1	(08) COMPUTER SOFTWARE/HARDWARE	<u>353,500</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 28,092,578</u>

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 4 SECTION 4. APPROPRIATION - PURCHASE ANNUITIES. There is hereby  
 5 appropriated, to the Workers' Compensation Commission, to be payable from the  
 6 Death and Permanent Total Disability Trust Fund, for the purchase of  
 7 annuities to fund the financial obligations of the Death and Permanent Total  
 8 Disability Trust Fund by the Workers' Compensation Commission for the fiscal  
 9 year ending June 30, 2011, the following:

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11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2010-2011</u>
13	(01) PURCHASE ANNUITIES	<u>\$ 4,000,000</u>

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 15 SECTION 5. APPROPRIATION - REFUNDS/CLAIMS/INVESTMENTS. There is hereby  
 16 appropriated, to the Workers' Compensation Commission, to be payable from the  
 17 Death and Permanent Total Disability Trust Fund, for refund of taxes, payment  
 18 of death and total disability claims, and investment of funds in the Death  
 19 and Permanent Total Disability Trust Fund as allowed by the Workers'  
 20 Compensation Commission for the fiscal year ending June 30, 2011, the  
 21 following:

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23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2010-2011</u>
25	(01) REFUND/REIMBURSEMENTS - DEATH AND	
26	TOTAL DISABILITY	\$ 750,000
27	(02) CLAIMS - DEATH AND TOTAL DISABILITY	21,000,000
28	(03) INVESTMENTS	<u>142,000,000</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$ 163,750,000</u>

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 31 SECTION 6. APPROPRIATION - SECOND INJURY CLAIMS. There is hereby  
 32 appropriated, to the Workers' Compensation Commission, to be payable from the  
 33 Second Injury Trust Fund, for refund of taxes and payment of second injury  
 34 claims by the Workers' Compensation Commission for the fiscal year ending  
 35 June 30, 2011, the following:

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1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2010-2011</u>
3	(01) REFUND/REIMBURSEMENTS - SECOND INJURY	\$ 250,000
4	(02) CLAIMS - SECOND INJURY	<u>9,000,000</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 9,250,000</u>

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7 SECTION 7. APPROPRIATION - SEMINAR - CASH. There is hereby appropriated,  
 8 to the Workers' Compensation Commission, to be payable from the cash fund  
 9 deposited in the State Treasury as determined by the Chief Fiscal Officer of  
 10 the State, for scholarships and educational conference expenses of the  
 11 Workers' Compensation Commission for the fiscal year ending June 30, 2011,  
 12 the following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2010-2011</u>
16	(01) MAINT. & GEN. OPERATION	
17	(A) OPER. EXPENSE	\$ 85,000
18	(B) CONF. & TRAVEL	0
19	(C) PROF. FEES	15,000
20	(D) CAP. OUTLAY	0
21	(E) DATA PROC.	0
22	(02) SCHOLARSHIPS	<u>40,000</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$ 140,000</u>

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25 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. QUARTERLY  
 27 REPORTS. Due to the critical role of the Health and Safety and Medical Cost  
 28 Containment Programs to the overall programs of the Workers' Compensation  
 29 Commission (WCC), the WCC shall provide quarterly reports to the Arkansas  
 30 Legislative Council and to the House and Senate Committees on Public Health,  
 31 Welfare, and Labor on the progress of the Health and Safety Program and the  
 32 Medical Cost Containment Program, in such detail as may be required by either  
 33 body. These reports shall be posted on the agency's web page.

34 The provisions of this section shall be in effect only from July 1, ~~2009~~  
 35 2010 through June 30, ~~2010~~ 2011.

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1 SECTION 9. SPECIAL LANGUAGE. INVESTMENTS. All such funds as are held at  
2 any time in the Death and Permanent Total Disability Trust Fund, Second  
3 Injury Trust Fund, and the Workers' Compensation Fund shall be invested and  
4 reinvested to the extent feasible, all such investments as authorized for use  
5 by the Office of the Treasurer shall be available to the listed funds. The  
6 movement of these funds into and out of investments shall be by fund  
7 transfers as directed by the Chief Executive Officer of the Workers'  
8 Compensation Commission.

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10 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
11 by this act shall be limited to the appropriation for such agency and funds  
12 made available by law for the support of such appropriations; and the  
13 restrictions of the State Procurement Law, the General Accounting and  
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
15 Procedures and Restrictions Act, or their successors, and other fiscal  
16 control laws of this State, where applicable, and regulations promulgated by  
17 the Department of Finance and Administration, as authorized by law, shall be  
18 strictly complied with in disbursement of said funds.

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20 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General Assembly  
21 that any funds disbursed under the authority of the appropriations contained  
22 in this act shall be in compliance with the stated reasons for which this act  
23 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
24 and Legislative Recommendations contained in the budget manuals prepared by  
25 the Department of Finance and Administration, letters, or summarized oral  
26 testimony in the official minutes of the Arkansas Legislative Council or  
27 Joint Budget Committee which relate to its passage and adoption.

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29 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General  
30 Assembly, that the Constitution of the State of Arkansas prohibits the  
31 appropriation of funds for more than a one (1) year period; that the  
32 effectiveness of this Act on July 1, 2010 is essential to the operation of  
33 the agency for which the appropriations in this Act are provided, and that in  
34 the event of an extension of the legislative session, the delay in the  
35 effective date of this Act beyond July 1, 2010 could work irreparable harm  
36 upon the proper administration and provision of essential governmental

1 programs. Therefore, an emergency is hereby declared to exist and this Act  
2 being necessary for the immediate preservation of the public peace, health  
3 and safety shall be in full force and effect from and after July 1, 2010.

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6 **APPROVED: 02/19/2010**  
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