

Act 832 of the 1989 Regular Session.

Act 832

SB381

By: Joint Budget Committee

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES OF THE STATE INSURANCE DEPARTMENT 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 - STATE. There is hereby established for the State Insurance Department - State 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)      | 9911       | STATE INSURANCE COMMISSIONER        | 1                        | \$54,145                                | \$55,497 |
| (2)      | 9919       | INSURANCE ASST DIRECTOR             | 1                        | \$48,139                                | \$49,335 |
| (3)      | 9784       | INSURANCE ASST CMSNR - COMPLIANCE   | 1                        | \$39,858                                | \$40,846 |
| (4)      | 9925       | INSURANCE ASST COMMISSIONER-FINANCE | 1                        | \$38,129                                | \$39,078 |
| (5)      | 041Z       | INSURANCE CHIEF EXAMINER            | 1                        |   | GRADE 26 |
|          | 986Z       | INSURANCE RISK MANAGEMENT ADMR      | 1                        |   |          |
| (6)      | A022       | CERTIFIED FINANCIAL EXAMINER        | 5                        |   | GRADE 25 |
|          | 040Z       | INSURANCE CHIEF COUNSEL             | 1                        |   |          |
| (7)      | 036Z       | INSURANCE FISCAL OFFICER            | 1                        |   | GRADE 24 |
| (8)      | A140       | INSURANCE SENIOR EXAMINER           | 5                        |   | GRADE 23 |
|          | 006Z       | INSURANCE-ASST. to the COMMISSIONER | 1                        |   |          |
|          | A197       | SR RISK SPECIALIST                  | 2                        |   |          |
|          | A204       | INSURANCE FINANCIAL RESEARCH SPEC   | 1                        |   |          |
|          | 987Z       | INSURANCE ASSOC COUNSEL             | 3                        |   |          |
| (9)      | A182       | INSURANCE RISK SPEC                 | 2                        |   | GRADE 22 |
|          | 042Z       | LIQUIDATION & REHAB OFF             | 1                        |   |          |
| (10)     | 794Z       | DATA PROCESSING OPERATIONS MANAGER  | 1                        |   | GRADE 21 |
| (11)     | A146       | RATE & FORM ANALYST SUPERVISOR      | 2                        |   | GRADE 20 |
| (12)     | A048       | INSURANCE EXAMINER                  | 5                        |   | GRADE 19 |
| (13)     | A094       | SECURITIES CUSTODIAN                | 1                        |   | GRADE 18 |
|          | D034       | PROGRAMMER ANALYST                  | 1                        |   |          |
| (14)     | A004       | ACCOUNTANT II                       | 2                        |   | GRADE 17 |
|          | A142       | RATE & FORM ANALYST                 | 10                       |   |          |
| (15)     | R010       | ADMINISTRATIVE ASSISTANT II         | 2                        |   | GRADE 16 |
| (16)     | A002       | ACCOUNTANT I                        | 2                        |   | GRADE 15 |
|          | X361       | INSURANCE INVESTIGATOR              | 8                        |   |          |
| (17)     | R009       | ADMINISTRATIVE ASSISTANT I          | 1                        |   | GRADE 14 |
| (18)     | K041       | EXECUTIVE SECY/ADMINISTRATIVE SECY  | 1                        |   | GRADE 13 |

|      |                                       |    |          |
|------|---------------------------------------|----|----------|
|      | K133 MANAGEMENT SUPPORT TECHNICIAN    | 4  |          |
| (19) | K039 DOCUMENT EXAMINER II             | 8  | GRADE 12 |
|      | K117 MEDICAL OR LEGAL SECRETARY       | 2  |          |
| (20) | A013 BOOKKEEPER II/ACCOUNTING ASST II | 2  | GRADE 11 |
|      | K153 SECRETARY II                     | 8  |          |
| (21) | K155 SECRETARY I                      | 2  | GRADE 09 |
|      | MAX NO. OF EMPLOYEES                  | 90 |          |

SECTION 2. EXTRA HELP - STATE. There is hereby authorized, for the State Insurance Department - State 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 3. APPROPRIATIONS - STATE. There is hereby appropriated, to the State Insurance Department - State, to be payable from the State General Services Fund Account, for personal services and operating expenses of the State Insurance Department - State for the biennial period ending June 30, 1991, the following:

| ITEM NO.                     | FISCAL YEARS |              |
|------------------------------|--------------|--------------|
|                              | 1989-90      | 1990-91      |
| (01) REGULAR SALARIES        | \$ 1,849,780 | \$ 1,891,603 |
| (02) EXTRA HELP              | 5,000        | 5,000        |
| (03) PERSONAL SERV MATCHING  | 464,578      | 488,647      |
| (04) MAINT. & GEN. OPERATION |              |              |
| (A) OPER. EXPENSES           | \$ 468,600   | \$ 483,600   |
| (B) CONF. & TRAVEL           | 12,536       | 12,536       |
| (C) PROF. FEES               | 20,000       | 20,000       |
| (D) CAPITAL OUTLAY           | 81,000       | 6,000        |
| (E) DATA PROCESSING          | 49,683       | 49,683       |
| TOTAL MAINT. & GEN. OPER.    | 631,819      | 571,819      |
| (05) PROFESSIONAL SERVICES   | 33,540       | 33,540       |
| TOTAL AMOUNT APPROPRIATED    | \$ 2,984,717 | \$ 2,990,609 |
|                              | =====        | =====        |

SECTION 4. REGULAR SALARIES - PUBLIC EMPLOYEES CLAIMS SECTION. There is hereby established for the State Insurance Department - Public Employees Claims Section 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)      | 767Z       | WK CMP PUBLIC EMPLOYEES CLAIM ADMR | 1                        | GRADE 26                                |         |
| (2)      | 074Z       | WK COMP PUB EMPL BEN DET ASST DIR  | 1                        | GRADE 24                                |         |
| (3)      | R316       | WK CMP PUB EMP BENEFITS DET MGR    | 4                        | GRADE 23                                |         |
|          | 987Z       | INSURANCE ASSOC COUNSEL            | 3                        |   |         |
| (4)      | L193       | MEDICAL REHAB REPRESENTATIVE       | 1                        | GRADE 20                                |         |
| (5)      | R400       | WK CMP PUB EMPL BEN DETER ASST MGR | 2                        | GRADE 19                                |         |

|      |                                       |    |          |
|------|---------------------------------------|----|----------|
| (6)  | R010 ADMINISTRATIVE ASSISTANT II      | 1  | GRADE 16 |
| (7)  | A178 INSURANCE REP                    | 1  | GRADE 14 |
| (8)  | K039 DOCUMENT EXAMINER II             | 1  | GRADE 12 |
|      | K117 MEDICAL OR LEGAL SECRETARY       | 1  |          |
| (9)  | A013 BOOKKEEPER II/ACCOUNTING ASST II | 2  | GRADE 11 |
|      | K011 CLERICAL SUPERVISOR              | 1  |          |
|      | K153 SECRETARY II                     | 5  |          |
| (10) | K037 DOCUMENT EXAMINER I              | 3  | GRADE 09 |
|      | K155 SECRETARY I                      | 2  |          |
| (11) | K023 CLERK TYPIST II                  | 2  | GRADE 07 |
|      | MAX NO. OF EMPLOYEES                  | 31 |          |

SECTION 5. APPROPRIATIONS - PUBLIC EMPLOYEES CLAIMS SECTION. There is hereby appropriated, to the State Insurance Department - Public Employees Claims Section, to be payable from the State General Services Fund Account, for personal services and operating expenses of the State Insurance Department - Public Employees Claims Section for the biennial period ending June 30, 1991, the following:

| ITEM<br>NO.                  | FISCAL YEARS |            |
|------------------------------|--------------|------------|
|                              | 1989-90      | 1990-91    |
| (01) REGULAR SALARIES        | \$ 547,408   | \$ 561,958 |
| (02) PERSONAL SERV MATCHING  | 143,584      | 152,355    |
| (03) MAINT. & GEN. OPERATION |              |            |
| (A) OPER. EXPENSES           | \$ 141,090   | \$ 143,417 |
| (B) CONF. & TRAVEL           | 1,000        | 1,000      |
| (C) PROF. FEES               | 0            | 0          |
| (D) CAPITAL OUTLAY           | 18,250       | 4,500      |
| (E) DATA PROCESSING          | 0            | 0          |
| TOTAL MAINT. & GEN. OPER.    | 160,340      | 148,917    |
| TOTAL AMOUNT APPROPRIATED    | \$ 851,332   | \$ 863,230 |
|                              | =====        | =====      |

SECTION 6. APPROPRIATIONS - TAX REFUND - CASH. There is hereby appropriated, to the State Insurance Department, to be payable from the cash funds of the State Insurance Department, for payments of refunds to taxes by the State Insurance Department - Tax Refund for the biennial period ending June 30, 1991, the following:

| ITEM<br>NO.          | FISCAL YEARS |           |
|----------------------|--------------|-----------|
|                      | 1989-90      | 1990-91   |
| (01) REFUND TO TAXES | \$ 50,000    | \$ 50,000 |
|                      | =====        | =====     |

SECTION 7. APPROPRIATIONS - TRAVEL AND SUBSISTENCE - CASH. There is hereby appropriated, to the State Insurance Department, to be payable from the cash funds of the State Insurance Department, for travel and subsistence expenses of the State Insurance Department - Travel and Subsistence - Cash for the biennial period ending June 30, 1991, the following:

| ITEM<br>NO.                   | FISCAL YEARS |            |
|-------------------------------|--------------|------------|
|                               | 1989-90      | 1990-91    |
| (01) TRAVEL & SUBSISTENCE EXP | \$ 200,000   | \$ 200,000 |
|                               | =====        | =====      |

SECTION 8. APPROPRIATIONS - FIREMEN'S RELIEF AND PENSION. There is hereby appropriated, to the State Insurance Department, to be payable from the Firemen's Relief and Pension Fund, for payment of the Firemen's Relief and Pension Fund Taxes by the State Insurance Department - Firemen's Relief and Pension Program for the biennial period ending June 30, 1991, the following:

| ITEM<br>NO. | FISCAL YEARS  |               |
|-------------|---------------|---------------|
|             | 1989-90       | 1990-91       |
| (01) GRANTS | \$ 11,000,000 | \$ 11,000,000 |
|             | =====         | =====         |

SECTION 9. APPROPRIATIONS - POLICE OFFICER'S PENSION AND RELIEF PROGRAM. There is hereby appropriated, to the State Insurance Department, to be payable from the Police Officer's Pension and Relief Fund, for payment of the Police Officer's Pension and Relief Fund Taxes by the State Insurance Department - Police Officer's Pension and Relief Program for the biennial period ending June 30, 1991, the following:

| ITEM<br>NO. | FISCAL YEARS |              |
|-------------|--------------|--------------|
|             | 1989-90      | 1990-91      |
| (01) GRANTS | \$ 8,000,000 | \$ 8,000,000 |
|             | =====        | =====        |

SECTION 10. APPROPRIATIONS - GOVERNMENTAL BONDING BOARD. There is hereby appropriated, to the State Insurance Department - Governmental Bonding Board, to be payable from the Fidelity Bond Trust Fund, for operating expenses, payment of State-County-Municipal-School District Fidelity Bond claims, reinsurance, refunds for overpayments, and the making of Fidelity Bond investments, for the biennial period ending June 30, 1991, the following:

| ITEM<br>NO.                  | FISCAL YEARS |              |
|------------------------------|--------------|--------------|
|                              | 1989-90      | 1990-91      |
| (01) MAINT. & GEN. OPERATION |              |              |
| (A) OPER. EXPENSES           | \$ 5,000     | \$ 5,000     |
| (B) CONF. & TRAVEL           | 0            | 0            |
| (C) PROF. FEES               | 0            | 0            |
| (D) CAPITAL OUTLAY           | 0            | 0            |
| (E) DATA PROCESSING          | 0            | 0            |
| TOTAL MAINT. & GEN. OPER.    | 5,000        | 5,000        |
| (02) PROFESSIONAL SERVICES   | 50,000       | 50,000       |
| (03) CLAIMS                  | 500,000      | 500,000      |
| (04) REINSURANCE             | 250,000      | 250,000      |
| (05) REFUNDS                 | 150,000      | 150,000      |
| (06) INVESTMENTS             | 1,000,000    | 1,000,000    |
| TOTAL AMOUNT APPROPRIATED    | \$ 1,955,000 | \$ 1,955,000 |

SECTION 11. APPROPRIATIONS - PUBLIC SCHOOL, COUNTY AND CITY EMPLOYEES CLAIMS. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Revolving Fund, for the payment of public school, county and city employees claims by the State Insurance Department - Public Employees Claims Section for the biennial period ending June 30, 1991, the following:

| ITEM<br>NO.                         | FISCAL YEARS |              |
|-------------------------------------|--------------|--------------|
|                                     | 1989-90      | 1990-91      |
| (01) PUBLIC SCHOOL EMPLOYEES CLAIMS | \$ 4,400,000 | \$ 5,000,000 |
| (02) COUNTY EMPLOYEES CLAIMS        | 1,500,000    | 1,250,000    |
| (03) CITY EMPLOYEES CLAIMS          | 2,000,000    | 1,500,000    |
| TOTAL AMOUNT APPROPRIATED           | \$ 7,900,000 | \$ 7,750,000 |

SECTION 12. APPROPRIATIONS - STATE EMPLOYEES CLAIMS. There is hereby appropriated, to the State Insurance Department, to be payable from the Worker's Compensation Revolving Fund, for the payment of state employees claims by the State Insurance Department - Public Employees Claims Section for

the biennial period ending June 30, 1991, the following:

| ITEM<br>NO. | FISCAL YEARS  |               |
|-------------|---------------|---------------|
|             | 1989-90       | 1990-91       |
| (01) CLAIMS | \$ 10,000,000 | \$ 11,000,000 |
|             | =====         | =====         |

SECTION 13. APPROPRIATIONS - STATE, COUNTY, MUNICIPAL AND PUBLIC SCHOOL EMPLOYEES BOND ADVISORY COMMITTEES. There is hereby appropriated, to the State Insurance Department, to be payable from the State General Services Fund Account, for operating expenses of the State Insurance Department - State, County, Municipal and Public School Employees Bond Advisory Committees for the biennial period ending June 30, 1991, the following:

| ITEM<br>NO.                  | FISCAL YEARS |         |
|------------------------------|--------------|---------|
|                              | 1989-90      | 1990-91 |
| (01) MAINT. & GEN. OPERATION |              |         |
| (A) OPER. EXPENSES           | \$ 500       | \$ 500  |
| (B) CONF. & TRAVEL           | 0            | 0       |
| (C) PROF. FEES               | 0            | 0       |
| (D) CAPITAL OUTLAY           | 0            | 0       |
| (E) DATA PROCESSING          | 0            | 0       |
| TOTAL MAINT. & GEN. OPER.    | 500          | 500     |
| TOTAL AMOUNT APPROPRIATED    | \$ 500       | \$ 500  |
|                              | =====        | =====   |

SECTION 14. APPROPRIATIONS - REFUNDS. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Revolving Fund, for the payment of miscellaneous tax and fee refunds by the State Insurance Department for the biennial period ending June 30, 1991, the following:

| ITEM<br>NO.                | FISCAL YEARS |              |
|----------------------------|--------------|--------------|
|                            | 1989-90      | 1990-91      |
| (01) MISC TAX & FEE REFUND | \$ 5,000,000 | \$ 5,000,000 |
|                            | =====        | =====        |

SECTION 15. The State Insurance Department is authorized to request special rates of pay to attract exceptionally well qualified applicants (as defined in Arkansas Code 21-5-201 et seq.) to fill vacant positions in the classifications listed under subsection (b) below. Special rates of pay may also be requested for current and new employees in these classifications when necessary to meet job market conditions subject to the following restrictions:

(a) that applications for special rates of pay above step 4 shall have been reviewed and approved by the Office of Personnel Management after seeking prior review by the Arkansas Legislative Council.

(b) that 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<br>Code | Title                        | Grade |
|---------------|------------------------------|-------|
| O41Z          | Chief Examiner               | 26    |
| A022          | Certified Financial Examiner | 25    |
| A140          | Insurance Senior Examiner    | 23    |

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: March 22, 1989

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