

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

SENATE BILL 94

5 By: Joint Budget Committee
6
7

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, 2010; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE WORKERS' COMPENSATION
16 COMMISSION APPROPRIATION FOR THE
17 2009-2010 FISCAL YEAR.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the Workers'
24 Compensation Commission for the 2009-2010 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	2009-2010
3	(1)	U100U	WCC CHAIRMAN	1	\$118,792
4	(2)	U007U	WCC COMMISSIONER	2	\$116,877
5	(3)	U046U	WCC CHIEF EXEC OFFICER	1	\$116,319
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	

8

9 SECTION 2. EXTRA HELP. There is hereby authorized, for the Workers'
 10 Compensation Commission for the 2009-2010 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.

16

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, 2010,
 21 the following:

22

23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2009-2010</u>
25	(01) REGULAR SALARIES	\$ 7,503,847
26	(02) EXTRA HELP	100,000
27	(03) PERSONAL SERVICES MATCHING	2,234,723
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>\$ 27,927,739</u>

3
 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, 2010, the following:

10		
11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2009-2010</u>
13	(01) PURCHASE ANNUITIES	<u>\$ 4,000,000</u>

14
 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, 2010, the
 21 following:

22		
23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2009-2010</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>

30
 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, 2010, the following:

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REFUND/REIMBURSEMENTS - SECOND INJURY	\$ 250,000
(02) CLAIMS - SECOND INJURY	<u>9,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 9,250,000</u>

SECTION 7. APPROPRIATION - SEMINAR - CASH. There is hereby appropriated, to the Workers' Compensation Commission, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for scholarships and educational conference expenses of the Workers' Compensation Commission for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 85,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	15,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(02) SCHOLARSHIPS	<u>40,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 140,000</u>

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

The provisions of this section shall be in effect only from July 1, ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

1 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
3 EXPENDITURES. Any expenditure from the Workers' Compensation Commission
4 Building appropriation in this act in an amount exceeding ten thousand
5 dollars (\$10,000) or any combination of expenditures exceeding ten thousand
6 dollars (\$10,000) shall require approval from the Legislative Council. The
7 requirement of approval by the Legislative Council is not a severable part of
8 this section. If the requirement of approval by the Legislative Council is
9 ruled unconstitutional by a court of competent jurisdiction, this entire
10 section is void.

11 The provisions of this section shall be in effect only from July 1,
12 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

13
14 SECTION 10. SPECIAL LANGUAGE. INVESTMENTS. All such funds as are held at
15 any time in the Death and Permanent Total Disability Trust Fund, Second
16 Injury Trust Fund, and the Workers' Compensation Fund shall be invested and
17 reinvested to the extent feasible, all such investments as authorized for use
18 by the Office of the Treasurer shall be available to the listed funds. The
19 movement of these funds into and out of investments shall be by fund
20 transfers as directed by the Chief Executive Officer of the Workers'
21 Compensation Commission.

22
23 SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
24 by this act shall be limited to the appropriation for such agency and funds
25 made available by law for the support of such appropriations; and the
26 restrictions of the State Procurement Law, the General Accounting and
27 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
28 Procedures and Restrictions Act, or their successors, and other fiscal
29 control laws of this State, where applicable, and regulations promulgated by
30 the Department of Finance and Administration, as authorized by law, shall be
31 strictly complied with in disbursement of said funds.

32
33 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General Assembly
34 that any funds disbursed under the authority of the appropriations contained
35 in this act shall be in compliance with the stated reasons for which this act
36 was adopted, as evidenced by the Agency Requests, Executive Recommendations

1 and Legislative Recommendations contained in the budget manuals prepared by
2 the Department of Finance and Administration, letters, or summarized oral
3 testimony in the official minutes of the Arkansas Legislative Council or
4 Joint Budget Committee which relate to its passage and adoption.

5
6 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General
7 Assembly, that the Constitution of the State of Arkansas prohibits the
8 appropriation of funds for more than a one (1) year period; that the
9 effectiveness of this Act on July 1, 2009 is essential to the operation of
10 the agency for which the appropriations in this Act are provided, and that in
11 the event of an extension of the Regular Session, the delay in the effective
12 date of this Act beyond July 1, 2009 could work irreparable harm upon the
13 proper administration and provision of essential governmental programs.
14 Therefore, an emergency is hereby declared to exist and this Act being
15 necessary for the immediate preservation of the public peace, health and
16 safety shall be in full force and effect from and after July 1, 2009.

17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36