

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 3/24/87

HOUSE BILL 1190

By: Joint Budget Committee

AS ENGROSSED 4/08/87

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES OF THE WORKER'S COMPENSATION COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1989; 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 Worker's Compensation Commission - Research and Statistics Division for the 1987-89 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 Annual	
					Maximum No. of Employees	Salary Rate Fiscal Years
					1987-88	1988-89
(1)	826Z	1		AGENCY DIR RESEARCH & STATISTICS		GRADE 20
(2)	R162	2		STATISTICIAN/STATISTICIAN II		GRADE 16
(3)	K153	1		SECRETARY II		GRADE 11
MAX NO. OF EMPLOYEES					4	

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

Compensation Fund, for personal services and operating expenses of the Worker's Compensation Commission - Research and Statistics Division - State for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) REGULAR SALARIES	\$ 32,921	\$ 32,921
(02) PERSONAL SERV MATCHING	7,483	7,483
(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	500	500
(E) DATA PROCESSING	_____ 0	_____ 0
TOTAL MAINT. & GEN. OPER.	34,072	34,072
(04) INDIRECT COST	_____ 21,015	_____ 21,015
TOTAL AMOUNT APPROPRIATED	\$ 95,491	\$ 95,491

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

There is hereby appropriated, to the Worker's 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 Worker's Compensation Commission - Research and Statistics Division - Federal for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) REGULAR SALARIES	\$ 32,921	\$ 32,921
(02) PERSONAL SERV MATCHING	7,483	7,483
(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	500	500
(E) DATA PROCESSING	_____ 0	_____ 0
TOTAL MAINT. & GEN. OPER.	34,072	34,072
(04) INDIRECT COST	_____ 21,015	_____ 21,015

TOTAL AMOUNT APPROPRIATED

\$ 95,491 \$ 95,491

SECTION 4. REGULAR SALARIES - ADMINISTRATION. There is hereby established for the Worker's Compensation Commission - Administration for the 1987-89 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	
				1987-88	1988-89
(1)	9997 WK CMP	COMMISSION CHAIRMAN	1	\$53,150	\$53,150
(2)	9991 WK CMP	COMMISSIONER	2	\$51,226	\$51,226
(3)	9750 WCC	ADMINISTRATIVE LAW JUDGE	12	\$44,666	\$44,666
(4)	765Z WK CMP	EXECUTIVE DIRECTOR	1		GRADE 25
(5)	764Z WCC SR	SECOND INJURY DEFENSE ATTY	1		GRADE 24
	768Z WK CMP	SELF-INSURERS ADMINISTRATOR	1		
	R405 WCC	LEGAL ADVISOR	7		
(6)	762Z WCC	SECOND INJURY DEFENSE ATTY	2		GRADE 23
	763Z WK CMP	ADMINISTRATOR	1		
	766Z WK CMP	PROGRAM MANAGER	2		
	055Z	DATA PROCESSING MANAGER	1		
(7)	R472 WORKERS COMP	DEP EXEC DIRECTOR	5		GRADE 22
	909Z	PROGRAM SUPPORT MANAGER	1		
(8)	A116	RATE ANALYST III	1		GRADE 21
(9)	A042	FINANCIAL EXAMINER II	1		GRADE 20
	D038	SYSTEMS PROGRAMMER	1		
	R314 WK CMP	ASST EXEC SEC/OPR MGR	1		
(10)	K043	HEARING REPORTER	3		GRADE 19
(11)	A004	ACCOUNTANT II	1		GRADE 17

N328	INFORMATION OFFICER II	1	
R254	LIBRARIAN II	1	
R402	WK CMP SELF-INSURERS ASST ADMR	1	
R430	ADMINISTRATIVE OFFICER	1	
X386	DIS DET CLAIMS EXAMINER II	1	
(12)	X414 WK CMP COMPLIANCE OFFICER	1	GRADE 16
(13)	A002 ACCOUNTANT I	2	GRADE 15
	X361 INSURANCE INVESTIGATOR	4	
	R190 PERSONNEL OFFICER II	2	
(14)	R009 ADMINISTRATIVE ASSISTANT I	21	GRADE 14
(15)	K163 DATA ENTRY SUPV II	1	GRADE 13
	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	
	K079 MICRO-PHOTOGRAPHER SUPERVISOR	1	
	K087 OFFICE SERVICES SUPV/OFFICE MANAGER	1	
(16)	D003 COMPUTER OPERATOR I	4	GRADE 12
(17)	K153 SECRETARY II	7	GRADE 11
	A013 BOOKKEEPER II/ACCOUNTING ASST II	2	
	K170 MAILROOM SUPV	1	
(18)	K005 CLAIMS EXAMINER	1	GRADE 10
(19)	K077 MICRO-PHOTOGRAPHER II	1	GRADE 09
	K155 SECRETARY I	4	
(20)	K007 CLAIMS FILE EXAMINER	8	GRADE 08
	K065 MAIL OFFICER	1	
(21)	C011 SWITCHBOARD OPERATOR II	2	GRADE 07
	K017 CLERK STENO	<u>1</u>	
	MAX NO. OF EMPLOYEES	116	

SECTION 5. APPROPRIATIONS - ADMINISTRATION. There is hereby appropriated, to the Worker's Compensation Commission, to be payable from the Worker's Compensation Fund, for personal services and operating expenses of the Worker's Compensation Commission - Administration for the biennial period ending June 30, 1989, the following:

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) REGULAR SALARIES	\$ 2,376,224	\$ 2,376,224
(02) PERSONAL SERV MATCHING	527,632	527,632

(03)	MAINT. & GEN. OPERATION			
	(A) OPER. EXPENSES	\$	845,045	\$ 855,491
	(B) CONF. & TRAVEL		22,862	34,862
	(C) PROF. FEES		102,097	88,097
	(D) CAPITAL OUTLAY		101,350	21,250
	(E) DATA PROCESSING		10,000	10,000
	TOTAL MAINT. & GEN. OPER.			1,081,354 1,009,700
(04)	TELEPHONE SYSTEM			100,000 0
	TOTAL AMOUNT APPROPRIATED			\$ 4,085,210 \$ 3,913,556

SECTION 6. APPROPRIATIONS. There is hereby appropriated, to the Worker's Compensation Commission, to be payable from the Justice Building Rental Trust Fund for rental of office space, for the Worker's Compensation Commission for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) RENT OF OFFICE SPACE	\$ 85,000	\$ 85,000
TOTAL AMOUNT APPROPRIATED	\$ 85,000	\$ 85,000

SECTION 7. APPROPRIATIONS. There is hereby appropriated, to the Worker's Compensation Commission, to be payable from the Death and Permanent Total Disability Trust Fund, for death and permanent total disability claims for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) CLAIMS	\$ 1,108,485	\$ 4,162,813
TOTAL AMOUNT APPROPRIATED	\$ 1,108,485	\$ 4,162,813

SECTION 8. APPROPRIATIONS. There is hereby appropriated, to the Worker's Compensation Commission, to be payable from the Second Injury Trust Fund, for payment of second injury claims for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS
------	--------------

NO.	_____	1987-88	_____	1988-89
(01)	CLAIMS	\$	2,500,000	\$ 3,000,000
	TOTAL AMOUNT APPROPRIATED	\$	2,500,000	\$ 3,000,000

SECTION 9. PUBLIC EMPLOYEES CLAIMS DIVISION REIMBURSEMENT. During the biennial period ending June 30, 1989, the Insurance Department shall certify quarterly to the Chief Fiscal Officer of the State the cost for administering the Public Employee Claims Division. Such certification shall be made the month following each quarter of the fiscal year. After such certification has been received and approved by the Chief Fiscal Officer, the Chief Fiscal Officer shall transfer funds from the Public School Fund, Municipal Aid Fund, County Aid Fund and the Workers' Compensation Fund to the State General Services Fund Account in order to provide reimbursement for personal services and operating expenses of the Public Employees Claims Division. The amount transferred from each fund shall be the actual cost associated with said fund, as certified to and approved by the Chief Fiscal Officer.

During the biennial period beginning July 1, 1989, and thereafter, the Insurance Department shall certify to the Chief Fiscal Officer of the State the cost of administering the Public Employees Claims Division. Such certification shall be made the month following each quarter of the fiscal year, and shall include a report of the expenditures of the Division for workers' compensation claims paid on behalf of the Cities, the Counties, and the Public Schools, each of the three reported as a class of employers, and each State Agency supported from Treasury Funds or Fund Accounts. After such certification has been received and approved by the Chief Fiscal Officer, the Chief Fiscal Officer shall transfer funds from the Public School Fund, the Municipal Aid Fund, the County Aid Fund and from the various treasury funds of state agencies to the State General Services Fund Account. Said transfers shall be made in the same proportion that payments were made in behalf of that entity for workers' compensation claims in the prior quarter as certified by the Insurance Department. The amount transferred shall be the proportional cost associated with said Fund as certified to and approved by the Chief Fiscal Officer. Should a state agency be supported from more than one Treasury Fund, the fund

transfers from that agency shall be in the same proportion that appropriations were made to that agency for regular salaries from the respective funds.

SECTION 10. CARRY FORWARD. Any unexpended balance of appropriation provided by Item (04) in Section 5 of this Act, which remains at the close of the fiscal year ending June 30, 1988, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, 1989.

SECTION 11. 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, including the document produced by the Bureau of Legislative Research reflecting legislative intent 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 12. CONTRACT RESTRICTIONS. The agency, board, commission, department or institution to whom funds are appropriated by this Act shall not enter into any contract for any professional or consultant services which shall extend for more than twenty (20) actual working days or the total compensation exceeds five thousand dollars (\$5,000) during any one fiscal year without first seeking the advice of the Arkansas Legislative Council. Provided further, that all contracts for professional or consultant services shall be submitted monthly to the Chief Fiscal Officer of the State for reporting to the Legislative Council.

SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Sixth 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, 1987 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, 1987 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, 1987.

/s/ John E. Miller

