

State of Arkansas

76th General Assembly

Regular Session, 1987 AS ENGROSSED 2/24/87

SENATE BILL 352

By: Joint Budget Committee AS ENGROSSED 3-6-87

As engrossed 3-31-87 As engrossed 3-12-87 As engrossed 4-3-87

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
OPERATING EXPENSES OF THE PUBLIC SERVICE 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 - UTILITIES DIVISION. There is hereby established for the Public Service Commission - Utilities 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. of	Maximum Annual		
			Salary Rate		
No. ____ Code ____ Title _____		Employees	Fiscal Years		
			1987-88	1988-89	
(1)	9993	PSC Chairman	1	\$53,770 \$55,385	
(2)	9994	PSC Commissioner	2	\$51,820 \$53,375	
(3)	9907	PSC Director	1	\$51,082 \$53,092	
(4)	9745	PSC Chief Counsel	1	\$48,952 \$51,644	
(5)	9746	PSC Chief Admn. Law Judge	1	\$48,952 \$51,644	
(6)	9748	PSC Dir. Res. & Mgt. Svcs.	1	\$47,816 \$50,445	
(7)	8040	PSC Chief of Audits	1	\$47,816 \$50,445	
(8)	9741	PSC Admin. Law Judge	3	\$42,500 \$44,838	

(9)	009Z	PSC Chief of Compliance	1	Grade 25
	984Z	PSC Chief of Fin. & Research	1	
(10)	A198	PSC Sr. Rate Case Analyst	2	Grade 24
	R292	PSC Hearing Officer	10	
(11)	A200	PSC RATES FINANCE SUPV	2	GRADE 23
	R478	PSC MANAGER, POWER & WATER SERVICES	1	
	R480	PSC MANAGER, TELECOMM SECTION	1	
	055Z	DATA PROCESSING MANAGER	1	
(12)	A072	PUBLIC UTILITY AUDITOR SUPERVISOR	7	GRADE 22
	X456	PSC RATE CASE ENGINEER	3	
(13)	A116	RATE ANALYST III	10	GRADE 21
(14)	A038	FINANCIAL ANALYST	2	GRADE 20
	A076	PUBLIC UTILITY AUDITOR II	14	
	D036	SR PROGRAMMER/ANALYST	2	
	826Z	AGENCY DIR RESEARCH & STATISTICS	1	
(15)	X438	PSC UTILITY SERVICES SUPERVISOR	1	GRADE 19
(16)	A006	ACCOUNTING SUPV I	1	GRADE 18
	R150	RESEARCH PROJECT ANALYST	4	
(17)	A004	ACCOUNTANT II	1	GRADE 17
	K188	PSC MANAGER, COMM DOCKETS	1	
	X458	ENGINEER TECH SUPERVISOR	2	
(18)	R010	ADMINISTRATIVE ASSISTANT II	5	GRADE 16
	X333	ENGINEER TECHNICIAN	3	
(19)	K186	WORD PROCESSING SUPV	1	GRADE 15
	X307	COMPLAINTS INVESTIGATOR	2	
(20)	R009	ADMINISTRATIVE ASSISTANT I	2	GRADE 14
	R015	AGENCY DATA SYSTEMS COORDINATOR	1	
(21)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 13
(22)	K039	DOCUMENT EXAMINER II	3	GRADE 12
	K117	MEDICAL OR LEGAL SECRETARY	5	
	K179	SECRETARY/WORD PROCESS SPECIALIST	3	
(23)	K011	CLERICAL SUPERVISOR	1	GRADE 11
(24)	K103	REPRO EQUIP OPR II/REPRO EQUIP OPR	___1	GRADE 09
		MAX NO. OF EMPLOYEES	107	

SECTION 2. EXTRA HELP - UTILITIES DIVISION. There is hereby authorized,

for the Public Service Commission - Utilities Division for the 1987-89 bien-
 nium, the following maximum number of part-time or temporary employees, to be
 known as "Extra Help", payable from funds appropriated herein for such pur-
 poses: Six (6) 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 - UTILITIES DIVISION. There is hereby
 appropriated, to the Public Service Commission - Utilities Division, to be
 payable from the Public Service Commission Fund, for personal services and
 operating expenses of the Public Service Commission - Utilities Division for
 the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) REGULAR SALARIES	\$ 3,160,512	\$ 3,160,512
(02) EXTRA HELP	10,000	10,000
(03) PERSONAL SERV MATCHING	655,073	655,073
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES \$ 759,326	\$ 759,326	
(B) CONF. & TRAVEL 67,826	67,826	
(C) PROF. FEES 63,302	63,302	
(D) CAPITAL OUTLAY 30,490	18,000	
(E) DATA PROCESSING _____23,521_	_____23,521_	
TOTAL MAINT. & GEN. OPER.	944,465	931,975
(05) FERC LEGAL FEES	421,251	421,251
(06) PROFESSIONAL SERVICES	420,994	420,994
(07) DATA PROCESSING - PSC DIV _____281,956	_____0	
TOTAL AMOUNT APPROPRIATED	\$ 5,894,251	\$ 5,599,805

SECTION 4. REGULAR SALARIES - PIPELINE SAFETY PROGRAM. There is hereby
 established for the Public Service Commission - Pipeline Safety Program 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	Maximum No. of	Maximum Annual Salary Rate	
			Fiscal Years	
No.	Code	Title	Employees	1987-88 1988-89
(1)	9747	PSC DIRECTOR OF QUALITY SERVICES	1	\$46,400 \$46,400
(2)	R482	PSC MANAGER, GAS & PIPELINE SECTION	1	GRADE 22
	X456	PSC RATE CASE ENGINEER	2	
(3)	X458	ENGINEER TECH SUPERVISOR	1	GRADE 17
(4)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 16
(5)	K117	MEDICAL OR LEGAL SECRETARY	1	GRADE 12
		MAX NO. OF EMPLOYEES	7	

SECTION 5. APPROPRIATIONS - PIPELINE SAFETY PROGRAM. There is hereby appropriated, to the Public Service Commission - Pipeline Safety Program, to be payable from the Public Service Utility Safety Fund, for personal services and operating expenses of the Public Service Commission - Pipeline Safety Program for the biennial period ending June 30, 1989, the following:

ITEM NO.	FISCAL YEARS	
	1987-88	1988-89
(01) REGULAR SALARIES	\$ 199,272	\$ 199,272
(02) PERSONAL SERV MATCHING	41,515	41,515
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 32,187	\$ 32,187
(B) CONF. & TRAVEL	15,620	15,620
(C) PROF. FEES	5,617	5,617
(D) CAPITAL OUTLAY	1,235	750
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	54,659	54,174
TOTAL AMOUNT APPROPRIATED	\$ 295,446	\$ 294,961

SECTION 6. REGULAR SALARIES - TAX DIVISION. There is hereby established for the Public Service Commission - Tax 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	Maximum No. of	Maximum Annual Salary Rate Fiscal Years	
No.	Code	Title	Employees_1987-88	1988-89
(1)	067Z	PSC TAX DIVISION DIRECTOR	1	GRADE 24
(2)	A150	TAX DIV ASST DIRECTOR	1	GRADE 20
(3)	A004	ACCOUNTANT II	1	GRADE 17
(4)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 16
(5)	A002	ACCOUNTANT I	1	GRADE 15
(6)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 14
(7)	K153	SECRETARY II	1	GRADE 11
(8)	K155	SECRETARY I	2	GRADE 09
MAX NO. OF EMPLOYEES			9	

SECTION 7. APPROPRIATIONS - TAX DIVISION. There is hereby appropriated, to the Public Service Commission - Tax Division, to be payable from the Tax Division Fund, for personal services and operating expenses of the Public Service Commission - Tax Division for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO.	1987-88	1988-89
(01) REGULAR SALARIES	\$ 156,246	\$ 156,246
(02) PERSONAL SERV MATCHING	35,097	35,097
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 37,265	\$ 37,265
(B) CONF. & TRAVEL	2,964	2,964
(C) PROF. FEES	0	0

(D) CAPITAL OUTLAY	1,300	1,000
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	41,529	41,229
TOTAL AMOUNT APPROPRIATED	\$ 232,872	\$ 232,572

SECTION 8. REGULAR SALARIES - ASSESSMENT COORDINATION DIVISION. There is hereby established for the Public Service Commission - Assessment Coordination 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	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years 1987-88 1988-89
(1)	057Z PSC ACD DIRECTOR	1	GRADE 24
(2)	058Z PSC ACD REALTY APPRAIS MANAGER	1	GRADE 21
(3)	059Z PSC ACD RES & ADM MANAGER	1	GRADE 20
(4)	D040 SYSTEMS ANALYST I	1	GRADE 19
(5)	X390 REALTY APPRAISER SUPV	6	GRADE 18
(6)	E072 TRAINING INSTRUCTOR II	2	GRADE 17
(7)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 16
	R162 STATISTICIAN/STATISTICIAN II	3	
(8)	X389 REALTY APPRAISER III	12	GRADE 15
(9)	R009 ADMINISTRATIVE ASSISTANT I	1	GRADE 14
(10)	X387 REALTY APPRAISER II	5	GRADE 13
(11)	K115 STATISTICIAN ASST II/STATISTICIAN I	2	GRADE 12
(12)	K153 SECRETARY II	1	GRADE 11
(13)	K023 CLERK TYPIST II	3	GRADE 07
	MAX NO. OF EMPLOYEES	40	

SECTION 9. EXTRA HELP - ASSESSMENT COORDINATION DIVISION. There is hereby authorized, for the Public Service Commission - Assessment Coordination Division for the 1987-89 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 10. APPROPRIATIONS - ASSESSMENT COORDINATION DIVISION. There is hereby appropriated, to the Public Service Commission - Assessment Coordination Division, to be payable from the State General Services Fund Account, for personal services and operating expenses of the Public Service Commission - Assessment Coordination Division for the biennial period ending June 30, 1989, the following:

ITEM			FISCAL YEARS	
NO.			1987-88	1988-89
(01)	REGULAR SALARIES	\$	686,972	\$ 686,972
(02)	EXTRA HELP		1,000	1,000
(03)	PERSONAL SERV MATCHING		153,293	153,293
(04)	MAINT. & GEN. OPERATION			
	(A) OPER. EXPENSES	\$	263,000	\$ 273,000
	(B) CONF. & TRAVEL		34,470	34,470
	(C) PROF. FEES		0	0
	(D) CAPITAL OUTLAY		5,000	5,000
	(E) DATA PROCESSING		0	0
	TOTAL MAINT. & GEN. OPER.		302,470	312,470
(05)	ASSESSOR'S SCHOOL		47,000	47,000
	TOTAL AMOUNT APPROPRIATED	\$	1,190,735	\$ 1,200,735

SECTION 11. APPROPRIATIONS - ASSESSMENT COORDINATION DIVISION - CASH. There is hereby appropriated to the Public Service Commission, to be payable from cash funds of the Public Service Commission - Assessment Coordination Division, for operating expenses of the Public Service Commission - Assessment Coordination Division - Cash for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO.	1987-88	1988-89
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES \$	21,174 \$	21,174
(B) CONF. & TRAVEL	11,236	11,236
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	32,410	32,410
TOTAL AMOUNT APPROPRIATED	\$ 32,410	\$ 32,410

SECTION 12. APPROPRIATIONS - CONTINGENCY. There is hereby appropriated, to the Public Service Commission, to be payable from the Public Service Commission Fund, for personal services and operating expenses of the Public Service Commission for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO.	1987-88	1988-89
(01) CONTINGENCY	\$ 1,500,000	\$ 1,500,000

SECTION 13. CONTINGENCY RESTRICTION. In the event of unforeseen conditions, additional appropriations become necessary that are not authorized or contemplated in Section 3 of this Act and such events make it necessary that the Public Service Commission - Utilities Division receives additional appropriations to carry out the objectives of the agency, the Director of the Public Service Commission is hereby authorized to request the approval of the Governor and the Chief Fiscal Officer of the State, as hereinafter provided, for transfer of the additional appropriations provided in Section 12 to the appropriations provided the Utilities Division by Section 3, but in no event shall the transfers exceed the appropriations provided in Section 12 of this Act. Whenever the Director of the Public Service Commission deems it necessary to establish additional appropriations as authorized herein, he shall file with the Governor a written report accompanied by necessary supporting documents setting forth the facts, justifications, and circumstances

that necessitate such appropriation. Upon receipt of such reports and supporting documents, the Governor, or his designee, shall study the same, and if he shall determine that such additional appropriations are being sought in strict compliance with this Act, the Governor, after seeking the advice of the Arkansas Legislative Council or the Joint Budget Committee, may approve or modify such request for additional appropriations as in his judgement he deems necessary, and shall forward a copy thereof to the Chief Fiscal Officer of the State. Upon receipt thereof, the Chief Fiscal Officer of the State shall direct the State Auditor to process said transfer upon his books in accordance with the provisions as set out therein.

SECTION 14. SPECIAL RATES OF PAY. Due to the highly competitive job market conditions for utility rate case professionals and the necessity of recruiting and retaining qualified personnel, the Public Service Commission is authorized special rates of pay for current and new employees in the classification listed under subsection (a) below.

(a) 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		
Code	Title	Grade
009Z	PSC CHIEF OF COMPLIANCE	25
984Z	PSC CHIEF OF FIN & RESEARCH	25
R292	PSC HEARING OFFICER	24
A198	PSC SENIOR RATE CASE ANALYST	24
A200	PSC RATES FINANCE SUPV	23
R478	PSC MANAGER, POWER & WATER SVCS	23
R480	PSC MANAGER, TELECOMM SECT	23
055Z	PSC DATA PROCESSING MANAGER	23
R482	PSC MANAGER, GAS & PIPELINE	22
A072	PSC PUBLIC UTILITY AUDITOR SUPV	22
X456	PSC RATE CASE ENGINEER	22
A116	RATE ANALYST III	21
A076	PUBLIC UTILITY AUDITOR II	20
A038	FINANCIAL ANALYST	20
826Z	AGENCY DIR RESEARCH & STAT	20

D036	SR PROGRAMMER ANALYST	20
X438	PSC UTILITY SERVICES SUPV	19
A080	RATE ANALYST II	19
A074	PUBLIC UTILITY AUDITOR I	18
A078	RATE ANALYST I	18
R150	RESEARCH PROJECT ANALYST	18
A006	ACCOUNTING SUPERVISOR I	18
X458	ENGINEER TECHNICIAN SUPV	17
X333	ENGINEER TECHNICIAN	16

(b) A monthly report shall be made to the Arkansas Legislative Council describing all personnel transactions involving applications of any of the provisions of this Section.

(c) This provision shall be in full force and effect for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 15. CARRY FORWARD. Any unexpended balance of the appropriation authorized in Item (07) of Section 3 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 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. 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 19. 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/ Howell

