

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill

HOUSE BILL 1714

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE STATE INSURANCE DEPARTMENT FOR
10 THE BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER
11 PURPOSES."

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

15 SECTION 1. REGULAR SALARIES - STATE. There is hereby established for
16 the State Insurance Department - State for the 1991-93 biennium, the following
17 maximum number of regular employees whose salaries shall be governed by the
18 provisions of the Uniform Classification and Compensation Act (Arkansas Code
19 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
20 Provided, however, that any position to which a specific maximum annual salary
21 is set out herein in dollars, shall be exempt from the provisions of said
22 Uniform Classification and Compensation Act. All persons occupying positions
23 authorized herein are hereby governed by the provisions of the Regular
24 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
25 successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1991-92	1992-93
31	(1) 9911	STATE INSURANCE COMMISSIONER	1	\$ 61,097	\$ 64,151
32	(2) 9919	INSURANCE ASST DIRECTOR	1	\$ 54,313	\$ 57,028
33	(3) 9784	INSURANCE ASST CMSNR - COMPLIANCE	1	\$ 44,968	\$ 47,216
34	(4) 9925	INSURANCE ASST COMMISSIONER-FINANCE	1	\$ 43,021	\$ 45,172
35	(5) 041Z	INSURANCE CHIEF EXAMINER	1	GRADE 26	

1	986Z INSURANCE RISK MANAGEMENT ADMR	1	
2	R038 ATTORNEY SUPERVISOR	1	
3	(6) A022 CERTIFIED FINANCIAL EXAMINER	5	GRADE 25
4	R170 ATTORNEY SPECIALIST	3	
5	(7) R006 ASSISTANT RISK MANAGEMENT ADMR	1	GRADE 24
6	(8) R003 INSURANCE ASST TO COMMISSIONER	1	GRADE 23
7	055Z DATA PROCESSING MANAGER	1	
8	A140 INSURANCE SENIOR EXAMINER	5	
9	A197 SR RISK SPECIALIST	1	
10	(9) A023 LIQUIDATION & REHAB OFFICER	1	GRADE 22
11	(10) D123 APPLICATIONS & SYSTEMS ANALYST	1	GRADE 21
12	(11) A143 INSURANCE LICENSING SUPV	1	GRADE 20
13	A145 INSURANCE CONSUMER SVCS SUPV	1	
14	A182 INSURANCE RISK SPEC	2	
15	A048 INSURANCE EXAMINER	5	
16	A146 RATE & FORM ANALYST SUPERVISOR	2	
17	(12) A094 SECURITIES CUSTODIAN	1	GRADE 18
18	D034 PROGRAMMER ANALYST	1	
19	A111 ACCOUNTANT	2	
20	A142 RATE & FORM ANALYST	10	
21	(13) R010 ADMINISTRATIVE ASSISTANT II	3	GRADE 17
22	(14) X361 INSURANCE INVESTIGATOR	10	GRADE 15
23	A108 ACCOUNTING TECHNICIAN II	2	
24	R009 ADMINISTRATIVE ASSISTANT I	1	
25	(15) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	5	GRADE 14
26	K117 MEDICAL OR LEGAL SECRETARY	2	
27	(16) K153 SECRETARY II	8	GRADE 13
28	(17) K039 DOCUMENT EXAMINER II	10	GRADE 12
29	A106 ACCOUNTING TECHNICIAN I	2	
30	(18) K155 SECRETARY I	<u>2</u>	GRADE 11
31	MAX NO. OF EMPLOYEES	95	

SECTION 2. EXTRA HELP - STATE. There is hereby authorized, for the State Insurance Department - State for the 1991-93 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)

1 temporary or part-time employees, when needed, at rates of pay not to exceed
 2 those provided in the Uniform Classification and Compensation Act, or its
 3 successor, or this act for the appropriate classification.

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 5 SECTION 3. APPROPRIATIONS - STATE. There is hereby appropriated, to the
 6 State Insurance Department, to be payable from the State General Services Fund
 7 Account, for personal services and operating expenses of the State Insurance
 8 Department - State for the biennial period ending June 30, 1993, the
 9 following:

11	ITEM	FISCAL YEARS	
12	NO.	1991-92	1992-93
13	(01) REGULAR SALARIES	\$ 2,321,763	\$ 2,432,124
14	(02) EXTRA HELP	5,000	5,000
15	(03) PERSONAL SERV MATCHING	578,603	610,544
16	(04) MAINT. & GEN. OPERATION		
17	(A) OPER. EXPENSES	\$ 543,600	\$ 543,600
18	(B) CONF. & TRAVEL	12,536	12,536
19	(C) PROF. FEES	20,000	20,000
20	(D) CAPITAL OUTLAY	11,000	6,000
21	(E) DATA PROCESSING	<u>49,683</u>	<u>49,683</u>
22	TOTAL MAINT. & GEN. OPER.	636,819	631,819
23	(05) PROFESSIONAL SERVICES	<u>33,540</u>	<u>33,540</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,575,725</u>	<u>\$ 3,713,027</u>

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 26 SECTION 4. REGULAR SALARIES - PUBLIC EMPLOYEES CLAIMS SECTION. There
 27 is hereby established for the State Insurance Department - Public Employees
 28 Claim Section for the 1991-93 biennium, the following maximum number of
 29 regular employees whose salaries shall be governed by the provisions of the
 30 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
 31 seq.), or its successor, and all laws amendatory thereto. Provided, however,
 32 that any position to which a specific maximum annual salary is set out herein
 33 in dollars, shall be exempt from the provisions of said Uniform Classification
 34 and Compensation Act. All persons occupying positions authorized herein are
 35 hereby governed by the provisions of the Regular Salaries Procedures and

1 Restrictions Act (Arkansas Code §21-5-101), or its successor.

			Maximum Annual	
			Maximum	Salary Rate
5 Item	Class		No. of	Fiscal Years
6 No.	Code	Title	Employees	1991-92 1992-93
7	(1) 767Z	WK CMP PUBLIC EMPLOYEES CLAIM ADMR	1	GRADE 26
8	(2) R170	ATTORNEY SPECIALIST	2	GRADE 25
9	(3) 074Z	WK COMP PUB EMPL BEN DET ASST DIR	1	GRADE 24
10	(4) R316	WK CMP PUB EMP BENEFITS DET MGR	5	GRADE 23
11	(5) L193	MEDICAL REHAB REPRESENTATIVE	1	GRADE 20
12	(6) R400	WK CMP PUB EMPL BEN DETER ASST MGR	3	GRADE 19
13	(7) R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17
14	(8) X350	HLTH CARE ANALYST I	1	GRADE 15
15		K011 ADMIN SUPPORT SUPERVISOR	1	
16	(9) K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
17		K117 MEDICAL OR LEGAL SECRETARY	1	
18	(10) K153	SECRETARY II	5	GRADE 13
19	(11) K039	DOCUMENT EXAMINER II	1	GRADE 12
20		A106 ACCOUNTING TECHNICIAN I	3	
21	(12) K155	SECRETARY I	2	GRADE 11
22	(13) K037	DOCUMENT EXAMINER I	3	GRADE 10
23		K023 CLERK TYPIST	<u>2</u>	
24		MAX NO. OF EMPLOYEES	34	

26 SECTION 5. APPROPRIATIONS - PUBLIC EMPLOYEES CLAIMS SECTION. There is
 27 hereby appropriated, to the State Insurance Department, to be payable from the
 28 State General Services Fund Account, for personal services and operating
 29 expenses of the State Insurance Department - Public Employees Claims Section
 30 for the biennial period ending June 30, 1993, the following:

32 ITEM	FISCAL YEARS	
33 NO.	1991-92	1992-93
34 (01) REGULAR SALARIES	\$ 690,885	\$ 724,637
35 (02) PERSONAL SERV MATCHING	180,867	191,229

1	(03) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSES	\$ 159,417	\$ 159,417
3	(B) CONF. & TRAVEL	1,000	1,000
4	(C) PROF. FEES	0	0
5	(D) CAPITAL OUTLAY	13,000	2,000
6	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
7	TOTAL MAINT. & GEN. OPER.		<u>173,417</u> <u>162,417</u>
8	TOTAL AMOUNT APPROPRIATED		<u>\$ 1,045,169</u> <u>\$ 1,078,283</u>

10 SECTION 6. APPROPRIATIONS - TRAVEL AND SUBSISTENCE - CASH. There is
 11 hereby appropriated, to the State Insurance Department, to be payable from
 12 cash funds as defined by Arkansas Code 19-4-801 of the State Insurance
 13 Department, for travel and subsistence expenses of the State Insurance
 14 Department - Travel and Subsistence - Cash for the biennial period ending June
 15 ~~30, 1993, the following:~~

17	ITEM	FISCAL YEARS	
18	NO.	1991-92	1992-93
19	(01) TRAVEL & SUBSISTENCE EXP	<u>\$ 200,000</u>	<u>\$ 200,000</u>

21 SECTION 7. APPROPRIATIONS - FIREMEN'S RELIEF AND PENSION. There is
 22 hereby appropriated, to the State Insurance Department, to be payable from the
 23 Firemen's Relief and Pension Fund, for payment of Firemen's Relief and Pension
 24 Fund taxes by the State Insurance Department - Firemen's Relief and Pension
 25 ~~for the biennial period ending June 30, 1993, the following:~~

27	ITEM	FISCAL YEARS	
28	NO.	1991-92	1992-93
29	(01) GRANTS	<u>\$ 17,000,000</u>	<u>\$ 17,000,000</u>

31 SECTION 8. APPROPRIATIONS - POLICE OFFICER'S PENSION AND RELIEF. There
 32 is hereby appropriated, to the State Insurance Department, to be payable from
 33 the Police Officer's Pension and Relief Fund, for payment of Police Officer's
 34 pension and relief fund taxes by the State Insurance Department - Police
 35 Officers' Relief and Pension for the biennial period ending June 30, 1993, the

1 following:

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3 ITEM	FISCAL YEARS	
4 NO.	1991-92	1992-93
5 (01) GRANTS	<u>\$ 12,000,000</u>	<u>\$ 12,000,000</u>

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7 SECTION 9. APPROPRIATIONS - GOVERNMENTAL BONDING BOARD. There is hereby
 8 appropriated, to the State Insurance Department, to be payable from the
 9 Fidelity Bond Trust Fund, for operating expenses, payment of State-County-
 10 Municipal-School District fidelity bond claims, reinsurance, refunds for
 11 overpayments, and the making of fidelity bond investments by the State
 12 ~~Insurance Department - Governmental Bonding Board for the biennial period~~
 13 ending June 30, 1993, the following:

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15 ITEM	FISCAL YEARS	
16 NO.	1991-92	1992-93
17 (01) MAINT. & GEN. OPERATION		
18 (A) OPER. EXPENSES \$	5,000	\$ 5,000
19 (B) CONF. & TRAVEL	0	0
20 (C) PROF. FEES	0	0
21 (D) CAPITAL OUTLAY	0	0
22 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
23 TOTAL MAINT. & GEN. OPER.	\$ 5,000	\$ 5,000
24 (02) INVESTMENTS	1,000,000	1,000,000
25 (03) REFUNDS	150,000	150,000
26 (04) CLAIMS	1,000,000	1,000,000
27 (05) PROFESSIONAL SERVICES	50,000	
28 50,000		
29 (06) REINSURANCE	<u>250,000</u>	<u>250,000</u>
30 TOTAL AMOUNT APPROPRIATED	<u>\$ 2,455,000</u>	<u>\$ 2,455,000</u>

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32 SECTION 10. APPROPRIATIONS - PUBLIC SCHOOL, COUNTY AND CITY EMPLOYEES
 33 CLAIMS. There is hereby appropriated, to the State Insurance Department, to
 34 be payable from the Miscellaneous Revolving Fund, for the payment of public
 35 school, county and city employees claims of the State Insurance Department -

1 Public Employee Claims Section for the biennial period ending June 30, 1993,
 2 the following:

4 ITEM	FISCAL YEARS	
5 NO.	1991-92	1992-93
6 (01) PUBLIC SCHOOL EMPLOYEES CLAIMS	\$ 6,000,000	\$ 6,500,000
7 (02) COUNTY EMPLOYEE CLAIMS	1,250,000	1,250,000
8 (03) CITY EMPLOYEE CLAIMS	<u>1,500,000</u>	<u>1,500,000</u>
9 TOTAL AMOUNT APPROPRIATED	<u>\$ 8,750,000</u>	<u>\$ 9,250,000</u>

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 11 SECTION 11. APPROPRIATIONS - STATE EMPLOYEES CLAIMS. There is hereby
 12 ~~appropriated, to the State Insurance Department, to be payable from the~~
 13 Workers' Compensation Revolving Fund, for payment of state employees claims by
 14 the State Insurance Department - Public Employees Claims Section for the
 15 biennial period ending June 30, 1993, the following:

17 ITEM	FISCAL YEARS	
18 NO.	1991-92	1992-93
19 (01) CLAIMS	<u>\$ 13,000,000</u>	<u>\$ 13,000,000</u>

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 21 SECTION 12. APPROPRIATIONS - REFUNDS OF OVERPAYMENTS. There is hereby
 22 ~~appropriated, to the State Insurance Department, to be payable from the~~
 23 Miscellaneous Revolving Fund, for the payment of miscellaneous tax and fee
 24 refunds by the State Insurance Department for the biennial period ending June
 25 30, 1993, the following:

27 ITEM	FISCAL YEARS	
28 NO.	1991-92	1992-93
29 (01) MISC TAX & FEE REFUNDS	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>

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 31 SECTION 13. APPROPRIATIONS - CONSUMER INFORMATION SYSTEM. There is
 32 hereby appropriated, to the State Insurance Department, to be payable from
 33 cash funds as defined by Arkansas Code 19-4-801 of the State Insurance
 34 Department for operating expenses of the State Insurance Department - Consumer
 35 ~~Information System, for the biennial period ending June 30, 1993, the~~

1 following:

		FISCAL YEARS	
ITEM		1991-92	1992-93
NO.			
5	(01) MAINT. & GEN. OPERATION		
6	(A) OPER. EXPENSES	\$155,000	\$155,000
7	(B) CONF. & TRAVEL	0	0
8	(C) PROF. FEES	5,000	5,000
9	(D) CAPITAL OUTLAY	0	0
10	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
11	TOTAL MAINT. & GEN. OPER.	<u>\$ 160,000</u>	<u>\$ 160,000</u>
12	TOTAL AMOUNT APPROPRIATED	<u>\$ 160,000</u>	<u>\$ 160,000</u>

14 SECTION 14. REGULAR SALARIES - CONTINUING EDUCATION PROGRAM. There is
 15 hereby established for the State Insurance Department - Continuing Education
 16 Program for the 1991-93 biennium, the following maximum number of regular
 17 employees whose salaries shall be governed by the provisions of the Uniform
 18 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its
 19 successor, and all laws amendatory thereto. Provided, however, that any
 20 position to which a specific maximum annual salary is set out herein in
 21 dollars, shall be exempt from the provisions of said Uniform Classification
 22 and Compensation Act. All persons occupying positions authorized herein are
 23 hereby governed by the provisions of the Regular Salaries Procedures and
 24 Restrictions Act (Arkansas Code §21-5-101), or its successor.

		Maximum Annual			
		Maximum	Salary Rate		
Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	1991-92	1992-93
31	(1)	X361 INSURANCE INVESTIGATOR	1	Grade 15	
32	(2)	K039 DOCUMENT EXAMINER II	<u>1</u>	Grade 12	
<u>MAXIMUM NO. OF EMPLOYEES</u>			<u>2</u>		

35 SECTION 15. APPROPRIATIONS - CONTINUING EDUCATION PROGRAM. There is

1 hereby appropriated, to the State Insurance Department to be payable from the
 2 Insurance Continuing Education Trust Fund, for personal services and operating
 3 expenses of the State Insurance Department - Continuing Education Program, for
 4 the biennial period ending June 30, 1993, the following:

ITEM		FISCAL YEARS	
NO.		1991-92	1992-93
(01)	REGULAR SALARIES	\$ 36,478	\$ 38,302
(02)	PERSONAL SERVICES MATCHING	10,579	11,108
(03)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSES	\$282,443	\$300,590
	(B) CONF. & TRAVEL	0	0
	(C) PROF. FEES	0	0
	(D) CAPITAL OUTLAY	20,500	0
	(E) DATA PROCESSING	<u>50,000</u>	<u>50,000</u>
	TOTAL MAINT. & GEN. OPER.	<u>352,943</u>	<u>350,590</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 400,000</u>	<u>\$ 400,000</u>

20 SECTION 16. The State Insurance Department is authorized to request
 21 special rates of pay to attract exceptionally well qualified applicants (as
 22 defined in Arkansas Code 21-5-201 et seq.) to fill vacant positions in the
 23 classifications listed under subsection (b) below. Special rates of pay may
 24 also be requested for current and new employees in these classifications when
 25 necessary to meet job market conditions subject to the following restrictions:

26 (a) that applications for special rates of pay above Pay Level II shall
 27 have been reviewed and approved by the Office of Personnel Management after
 28 seeking prior review by the Arkansas Legislative Council.

29 (b) that special rates may be authorized up to the maximum authorized for
 30 the grade assigned the classification of a position for the following specific
 31 classifications only:

Class		
<u>Code</u>	<u>Title</u>	<u>Grade</u>
O41Z	Chief Examiner	26
A022	Certified Financial Examiner	25

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

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13 SECTION 18. LEGISLATIVE INTENT. It is the intent of the General
14 Assembly that any funds disbursed under the authority of the appropriations
15 contained in this Act shall be in compliance with the stated reasons for which
16 this Act was adopted, as evidenced by the Agency Requests, Executive
17 Recommendations and Legislative Recommendations contained in the budget
18 manuals prepared by the Department of Finance and Administration, letters, or
19 summarized oral testimony in the official minutes of the Arkansas Legislative
20 Council or Joint Budget Committee which relate to its passage and adoption.

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22 SECTION 19. CODE. All provisions of this Act of a general and permanent
23 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
24 Code Revision Commission shall incorporate the same in the Code.

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26 SECTION 20. SEVERABILITY. If any provision of this Act or the
27 application thereof to any person or circumstance is held invalid, such
28 invalidity shall not affect other provisions or applications of the Act which
29 can be given effect without the invalid provision or application, and to this
30 end the provisions of this Act are declared to be severable.

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32 SECTION 21. GENERAL REPEALER. All laws and parts of laws in conflict
33 with this Act are hereby repealed.

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35 SECTION 22. HEALTH PREMIUMS. The State Insurance Department shall not,

1 during the 1992-93 fiscal year, spend more for health insurance per employee
2 than the amount being contributed to the State Employees Health Insurance
3 Program.

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5 SECTION 23. EMERGENCY CLAUSE. It is hereby found and determined by the
6 Seventy-Eighth General Assembly, that the Constitution of the State of
7 Arkansas prohibits the appropriation of funds for more than a two (2) year
8 period; that the effectiveness of this Act on July 1, 1991 is essential to the
9 operation of the agency for which the appropriations in this Act are provided,
10 and that in the event of an extension of the Regular Session, the delay in the
11 effective date of this Act beyond July 1, 1991 could work irreparable harm
12 upon the proper administration and provision of essential governmental
13 programs. Therefore, an emergency is hereby declared to exist and this Act
14 being necessary for the immediate preservation of the public peace, health and
15 safety shall be in full force and effect from and after July 1, 1991.

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/s/John E. Miller

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