

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 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/10/05 H4/4/05

A Bill

HOUSE BILL 1542

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 STATE
11 INSURANCE DEPARTMENT FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE STATE INSURANCE
16 DEPARTMENT APPROPRIATION FOR THE
17 2005-2007 BIENNIUM.
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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 State
24 Insurance Department for the 2005-2007 biennium, the following maximum number
25 of regular employees whose salaries shall be governed by the provisions of
26 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,
28 that any position to which a specific maximum annual salary is set out herein
29 in dollars, shall be exempt from the provisions of said Uniform
30 Classification and Compensation Act. All persons occupying positions
31 authorized herein are hereby governed by the provisions of the Regular
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
33 successor.
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35 Maximum Annual
36 Maximum Salary Rate



Item	Class		No. of Employees	Fiscal Years	
	No.	Code Title		2005-2006	2006-2007
3	(1)	9918 ACTUARY - LIFE & HEALTH	1	\$140,687	\$143,707
4	(2)	9917 ACTUARY - PROPERTY & CASUALTY	1	\$140,687	\$143,707
5	(3)	9911 STATE INSURANCE COMMISSIONER	1	\$106,458	\$108,964
6	(4)	9070 INSURANCE DEP CMSNR FINANCIAL REGS	1	\$96,381	\$98,736
7	(5)	9919 INSURANCE DEPUTY CMSNR	2	\$90,527	\$92,794
8	(6)	9141 CHIEF CERTIFIED FINANCIAL EXAMINER	1	\$86,049	\$88,233
9	(7)	7270 ASST DEP CMSNR - FIN REGULATIONS	1	\$83,508	\$85,644
10	(8)	9142 CERTIFIED FINANCIAL EXAMINER	3	\$81,815	\$83,919
11	(9)	9354 DIRECTOR RISK MANAGEMENT	1	\$72,973	\$74,909
12	(10)	8911 DIRECTOR, FRAUD INVESTIGATION	1	\$72,663	\$74,593
13	(11)	9925 INSURANCE ASST DEPT CMNSR-FINANCE	1	\$69,774	\$71,649
14	(12)	A005 INSURANCE PROPERTY & CASUALTY ADMIN	1	GRADE	26
15	(13)	A146 INSURANCE LIFE & HEALTH ADMIN	1	GRADE	26
16	(14)	986Z INSURANCE RISK MANAGEMENT ADMR	1	GRADE	26
17	(15)	767Z WRKS COMP PUB EMP CLAIM ADMR	1	GRADE	26
18	(16)	801Z ASST DIR FRAUD INVESTIGATION	1	GRADE	26
19	(17)	827Z DP CENTER MANAGER	1	GRADE	26
20	(18)	R038 ATTORNEY SUPERVISOR	3	GRADE	26
21	(19)	R170 ATTORNEY SPECIALIST	9	GRADE	25
22	(20)	A022 CERTIFIED FINANCIAL EXAMINER	12	GRADE	25
23	(21)	074Z WRKS COMP PUB EMP BEN DET ASST DIR	1	GRADE	24
24	(22)	R006 ASST RISK MANAGEMENT ADMR	1	GRADE	24
25	(23)	D064 SR SYSTEMS PROGRAMMER	2	GRADE	24
26	(24)	D080 APPLICATIONS & SYSTEMS MANAGER	1	GRADE	23
27	(25)	R316 WRKS COMP PUB EMP BEN DET MGR	6	GRADE	23
28	(26)	055Z DP MANAGER	1	GRADE	23
29	(27)	911Z IFID FISCAL OFFICER	1	GRADE	23
30	(28)	A007 INSURANCE CONSUMER SVCS ADMIN	1	GRADE	23
31	(29)	A197 SR RISK SPECIALIST	3	GRADE	23
32	(30)	A140 INSURANCE SENIOR EXAMINER	4	GRADE	23
33	(31)	A143 INSURANCE LICENSING ADMIN	1	GRADE	23
34	(32)	909Z PROGRAM SUPPORT MANAGER	1	GRADE	22
35	(33)	D124 LEAD PROGRAMMER/ANALYST	3	GRADE	22
36	(34)	D123 APPLICATIONS & SYSTEMS ANALYST	1	GRADE	21

1	(35)	R001	INSURANCE PERSONNEL MANAGER	1	GRADE 21
2	(36)	R290	PUBLIC SCHOOL PROGRAM ADVISOR	2	GRADE 21
3	(37)	R298	AGENCY PROGRAM COORDINATOR	3	GRADE 21
4	(38)	A251	SR AUDITOR	1	GRADE 21
5	(39)	D036	SR PROGRAMMER/ANALYST	2	GRADE 21
6	(40)	A079	SR. CERTIFIED RATE AND FORM ANALYST	8	GRADE 21
7	(41)	A048	INSURANCE EXAMINER	2	GRADE 20
8	(42)	A010	CERTIFIED RATE & FORM ANALYST	2	GRADE 20
9	(43)	A011	MARKET CONDUCT EXAMINER	1	GRADE 20
10	(44)	A250	JR AUDITOR	1	GRADE 20
11	(45)	R266	MANAGEMENT PROJECT ANALYST II	9	GRADE 20
12	(46)	X365	CRIMINAL INSURANCE FRAUD INVESTIGAT	5	GRADE 20
13	(47)	X394	SCHOOL INSURANCE SPECIALIST	1	GRADE 20
14	(48)	M097	VOLUNTEER PROGRAM DEVELOPER II	1	GRADE 19
15	(49)	A110	ACCOUNTANT II	2	GRADE 19
16	(50)	A111	ACCOUNTANT	1	GRADE 18
17	(51)	A094	SECURITIES CUSTODIAN	1	GRADE 18
18	(52)	R195	PERSONNEL ANALYST	1	GRADE 18
19	(53)	X361	INSURANCE INVESTIGATOR	9	GRADE 18
20	(54)	X352	HLTH CARE ANALYST II	1	GRADE 17
21	(55)	R010	ADMINISTRATIVE ASSISTANT II	8	GRADE 17
22	(56)	R190	PERSONNEL OFFICER II	1	GRADE 17
23	(57)	A108	ACCOUNTING TECHNICIAN II	3	GRADE 15
24	(58)	R009	ADMINISTRATIVE ASSISTANT I	2	GRADE 15
25	(59)	K034	INSURANCE LICENSING SPECIALIST	12	GRADE 15
26	(60)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	5	GRADE 14
27	(61)	K117	MEDICAL OR LEGAL SECRETARY	4	GRADE 14
28	(62)	K153	SECRETARY II	16	GRADE 13
29	(63)	K039	DOCUMENT EXAMINER II	4	GRADE 12
30	(64)	A106	ACCOUNTING TECHNICIAN I	1	GRADE 12
31	(65)	K155	SECRETARY I	<u>1</u>	GRADE 11
32			MAX. NO. OF EMPLOYEES	182	

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34 SECTION 2. EXTRA HELP. There is hereby authorized, for the State
 35 Insurance Department for the 2005-2007 biennium, the following maximum number
 36 of part-time or temporary employees, to be known as "Extra Help", payable

1 from funds appropriated herein for such purposes: nineteen (19) temporary or
 2 part-time employees, when needed, at rates of pay not to exceed those
 3 provided in the Uniform Classification and Compensation Act, or its
 4 successor, or this act for the appropriate classification.

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 6 *SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to*
 7 *the State Insurance Department, to be payable from the State Insurance*
 8 *Department Trust Fund, for personal services and operating expenses of the*
 9 *State Insurance Department - Operations for the biennial period ending June*
 10 *30, 2007, the following:*

<i>ITEM</i>	<i>FISCAL YEARS</i>	
<u><i>NO.</i></u>	<u><i>2005-2006</i></u>	<u><i>2006-2007</i></u>
<i>(01) REGULAR SALARIES</i>	\$ 5,458,883	\$ 5,614,682
<i>(02) EXTRA HELP</i>	140,000	140,000
<i>(03) PERSONAL SERVICES MATCHING</i>	1,552,011	1,581,498
<i>(04) OVERTIME</i>	35,000	35,000
<i>(05) MAINT. & GEN. OPERATION</i>		
<i>(A) OPER. EXPENSE</i>	2,195,605	2,195,605
<i>(B) CONF. & TRAVEL</i>	190,136	190,136
<i>(C) PROF. FEES</i>	110,871	110,871
<i>(D) CAP. OUTLAY</i>	100,000	100,000
<i>(E) DATA PROC.</i>	215,000	215,000
<i>(06) SPECIAL MAINTENANCE</i>	50,000	50,000
<i>(07) PROFESSIONAL SERVICES</i>	<u>286,000</u>	<u>286,000</u>
<i>TOTAL AMOUNT APPROPRIATED</i>	<u>\$ 10,333,506</u>	<u>\$ 10,518,792</u>

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 29 *SECTION 4. APPROPRIATION - FRAUD INVESTIGATION UNIT. There is hereby*
 30 *appropriated, to the State Insurance Department, to be payable from the State*
 31 *Insurance Department Trust Fund, for personal services and operating expenses*
 32 *of the State Insurance Department - Fraud Investigation Unit for the biennial*
 33 *period ending June 30, 2007, the following:*

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 36 *ITEM* *FISCAL YEARS*

1	<u>NO.</u>		<u>2005-2006</u>		<u>2006-2007</u>
2	(01)	REGULAR SALARIES	\$ 146,518	\$	150,912
3	(02)	PERSONAL SERVICES MATCHING	43,931		44,787
4	(03)	MAINT. & GEN. OPERATION			
5	(A)	OPER. EXPENSE	90,406		90,406
6	(B)	CONF. & TRAVEL	12,000		12,000
7	(C)	PROF. FEES	11,000		11,000
8	(D)	CAP. OUTLAY	0		0
9	(E)	DATA PROC.	<u>0</u>		<u>0</u>
10		TOTAL AMOUNT APPROPRIATED	<u>\$ 303,855</u>	<u>\$</u>	<u>309,105</u>

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12 SECTION 5. APPROPRIATION - INSURANCE FRAUD INVESTIGATION DIVISION. There
 13 is hereby appropriated, to the State Insurance Department, to be payable from
 14 the Insurance Fraud Investigation Division Trust Fund, for personal services
 15 and operating expenses of the State Insurance Department - Insurance Fraud
 16 Investigation Division for the biennial period ending June 30, 2007, the
 17 following:

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20	ITEM		FISCAL YEARS	
21	<u>NO.</u>		<u>2005-2006</u>	<u>2006-2007</u>
22	(01)	REGULAR SALARIES	\$ 539,163	\$ 554,889
23	(02)	PERSONAL SERVICES MATCHING	151,217	154,283
24	(03)	MAINT. & GEN. OPERATION		
25	(A)	OPER. EXPENSE	172,635	171,635
26	(B)	CONF. & TRAVEL	35,000	35,000
27	(C)	PROF. FEES	11,000	11,000
28	(D)	CAP. OUTLAY	19,570	6,070
29	(E)	DATA PROC.	<u>1,000</u>	<u>1,000</u>
30		TOTAL AMOUNT APPROPRIATED	<u>\$ 929,585</u>	<u>\$ 933,877</u>

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33 SECTION 6. APPROPRIATION - PREPAID FUNERAL BENEFITS DIVISION. There is
 34 hereby appropriated, to the State Insurance Department, to be payable from
 35 the State Insurance Department Prepaid Trust Fund, for personal services and
 36 operating expenses of the State Insurance Department - Prepaid Funeral

1 Benefits Division for the biennial period ending June 30, 2007, the
2 following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 163,256	\$ 168,104
(02) PERSONAL SERVICES MATCHING	47,195	48,140
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	69,390	69,390
(B) CONF. & TRAVEL	4,000	4,000
(C) PROF. FEES	27,000	27,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>2,000</u>	<u>2,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 312,841</u>	<u>\$ 318,634</u>

17 SECTION 7. APPROPRIATION - PREPAID FUNERAL CONTRACTS RECOVERY PROGRAM.

18 There is hereby appropriated, to the State Insurance Department, to be
19 payable from the Prepaid Funeral Contracts Recovery Program Fund, for
20 expenses and claims of the Prepaid Funeral Contracts Recovery Program of the
21 State Insurance Department for the biennial period ending June 30, 2007,
22 the sum of\$1,000,000.

24 SECTION 8. APPROPRIATION - REFUNDS OF OVERPAYMENTS. There is hereby
25 appropriated, to the State Insurance Department, to be payable from the
26 Miscellaneous Revolving Fund, for the payment of miscellaneous tax and fee
27 refunds by the State Insurance Department for the biennial period ending June
28 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REFUNDS/REIMBURSEMENTS	<u>\$ 11,000,000</u>	<u>\$ 11,000,000</u>

35 SECTION 9. APPROPRIATION - CONTINUING EDUCATION PROGRAM. There is hereby
36 appropriated, to the State Insurance Department, to be payable from the

1 Insurance Continuing Education Trust Fund, for personal services of the State
 2 Insurance Department - Continuing Education Program for the biennial period
 3 ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 21,437	\$ 22,079
(02) PERSONAL SERVICES MATCHING	<u>8,021</u>	<u>8,148</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 29,458</u>	<u>\$ 30,227</u>

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 12 SECTION 10. APPROPRIATION - HEALTH INFORMATION COUNSELING. There is hereby
 13 appropriated, to the State Insurance Department, to be payable from the
 14 federal funds as designated by the Chief Fiscal Officer of the State, for
 15 personal services and operating expenses of the State Insurance Department -
 16 Health Information Counseling for the biennial period ending June 30, 2007,
 17 the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 118,401	\$ 122,035
(02) PERSONAL SERVICES MATCHING	42,289	42,997
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	150,372	150,372
(B) CONF. & TRAVEL	8,000	8,000
(C) PROF. FEES	3,000	3,000
(D) CAP. OUTLAY	8,000	8,000
(E) DATA PROC.	<u>1,600</u>	<u>1,600</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 331,662</u>	<u>\$ 336,004</u>

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 32 SECTION 11. APPROPRIATION - CONSUMER INFORMATION SYSTEM - CASH. There is
 33 hereby appropriated, to the State Insurance Department, to be payable from
 34 the cash fund deposited in the State Treasury as determined by the Chief
 35 Fiscal Officer of the State, for operating expenses of the State Insurance
 36 Department - Consumer Information System for the biennial period ending June

30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 93,000	\$ 93,000
(B) CONF. & TRAVEL	5,000	5,000
(C) PROF. FEES	75,000	75,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 173,000</u>	<u>\$ 173,000</u>

SECTION 12. APPROPRIATION - TRAVEL AND SUBSISTENCE - CASH. There is hereby appropriated, to the State Insurance Department, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for travel and subsistence expenses of the State Insurance Department for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) TRAVEL & SUBSISTENCE EXPENSES	<u>\$ 88,222</u>	<u>\$ 88,222</u>

SECTION 13. APPROPRIATION - PUBLIC EMPLOYEE CLAIMS SECTION. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the State Insurance Department - Public Employee Claims Section for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 835,909	\$ 860,860
(02) PERSONAL SERVICES MATCHING	255,163	260,028

1	(03) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	333,909	240,209
3	(B) CONF. & TRAVEL	13,000	13,000
4	(C) PROF. FEES	1,000	1,000
5	(D) CAP. OUTLAY	10,000	10,000
6	(E) DATA PROC.	<u>4,000</u>	<u>4,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,452,981</u>	<u>\$ 1,389,097</u>

8
 9 SECTION 14. APPROPRIATION - STATE EMPLOYEE CLAIMS. There is hereby
 10 appropriated, to the State Insurance Department, to be payable from the
 11 Workers' Compensation Revolving Fund, for the payment of state employee
 12 claims by the State Insurance Department - State Employee Claims for the
 13 biennial period ending June 30, 2007, the following:

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16	ITEM	FISCAL YEARS	
17	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
18	(01) STATE EMPLOYEE CLAIMS	<u>\$ 10,150,000</u>	<u>\$ 10,150,000</u>

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 20 SECTION 15. APPROPRIATION - PUBLIC SCHOOL EMPLOYEE CLAIMS. There is hereby
 21 appropriated, to the State Insurance Department, to be payable from the
 22 Miscellaneous Revolving Fund, for the payment of public school employee
 23 claims by the State Insurance Department - Public School Employee Claims for
 24 the biennial period ending June 30, 2007, the following:

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27	ITEM	FISCAL YEARS	
28	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
29	(01) PUBLIC SCHOOL EMPLOYEE CLAIMS	<u>\$ 450,000</u>	<u>\$ 450,000</u>

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 31 SECTION 16. APPROPRIATION - COUNTY EMPLOYEE CLAIMS. There is hereby
 32 appropriated, to the State Insurance Department, to be payable from the
 33 Miscellaneous Revolving Fund, for the payment of county employee claims by
 34 the State Insurance Department - County Employee Claims for the biennial
 35 period ending June 30, 2007, the following:

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ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) COUNTY EMPLOYEE CLAIMS	<u>\$ 200,000</u>	<u>\$ 200,000</u>

SECTION 17. APPROPRIATION - CITY EMPLOYEE CLAIMS. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Revolving Fund, for the payment of city employee claims by the State Insurance Department - City Employee Claims for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) CITY EMPLOYEE CLAIMS	<u>\$ 600,000</u>	<u>\$ 600,000</u>

SECTION 18. APPROPRIATION - GOVERNMENTAL BONDING BOARD. There is hereby appropriated, to the State Insurance Department, to be payable from the Fidelity Bond Trust Fund, for operating expenses of the State Insurance Department - Governmental Bonding Board for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 5,000	\$ 5,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(02) REFUNDS/REIMBURSEMENTS	150,000	150,000
(03) CLAIMS	1,000,000	1,000,000
(04) INVESTMENTS	760,637	760,637
(05) PROFESSIONAL SERVICES	50,000	50,000
(06) REINSURANCE	<u>139,218</u>	<u>139,218</u>

1 TOTAL AMOUNT APPROPRIATED \$ 2,104,855 \$ 2,104,855

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3 SECTION 19. APPROPRIATION - ARKANSAS MULTI-AGENCY INSURANCE TRUST FUND
 4 OPERATIONS. There is hereby appropriated, to the State Insurance Department,
 5 to be payable from the Arkansas Multi-Agency Insurance Trust Fund, for
 6 expenses and payment of claims by the State Insurance Department - Arkansas
 7 Multi-Agency Insurance Trust Fund (AMAIT) Operations for the biennial period
 8 ending June 30, 2007, the following:

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ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
(01) FOR EXPENSES & CLAIMS FROM AMAIT		
FUND	<u>\$ 10,000,000</u>	<u>\$ 10,000,000</u>

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16 SECTION 20. APPROPRIATION - SCHOOL MOTOR VEHICLE OPERATIONS. There is
 17 hereby appropriated, to the State Insurance Department, to be payable from
 18 the School Vehicle Insurance Reserve Trust Fund, for expenses and payment of
 19 claims by the State Insurance Department - School Motor Vehicle Operations
 20 for the biennial period ending June 30, 2007, the following:

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ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
(01) EXPENSES & CLAIMS	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>

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27 SECTION 21. APPROPRIATION - PUBLIC ELEMENTARY AND SECONDARY SCHOOL
 28 INSURANCE OPERATIONS. There is hereby appropriated, to the State Insurance
 29 Department, to be payable from the Public Elementary and Secondary School
 30 Insurance Fund, for expenses and payment of claims by the State Insurance
 31 Department - Public Elementary and Secondary School Insurance Operations
 32 for the biennial period ending June 30, 2007, the following:

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ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>

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1 (01) EXPENSES & CLAIMS \$ 9,000,000 \$ 9,000,000

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3 SECTION 22. APPROPRIATION - ARKANSAS COMPREHENSIVE HEALTH INSURANCE POOL.

4 There is hereby appropriated, to the State Insurance Department, to be
5 payable from the State Insurance Department Trust Fund, for payments to the
6 Arkansas Comprehensive Health Insurance Pool as set out in Arkansas Code
7 § 23-79-507(e), for each fiscal year of the biennial period ending June 30,
8 2007, a sum not to exceed.....\$2,000,000.

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10 SECTION 23. APPROPRIATION - FIRE DEPARTMENTS. There is hereby

11 appropriated, to the State Insurance Department, to be payable from the State
12 Insurance Department Trust Fund, for making payments to the Arkansas Rural
13 Risk Underwriting Association for distribution on an equal basis to all
14 participating fire departments as may be provided by law, and only from those
15 monies not required to fund the appropriation in Section 22 of this Act, for
16 each fiscal year of the biennial period ending June 30, 2007, a sum not to
17 exceed.....\$2,000,000.

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19 SECTION 24. Arkansas Code § 23-79-507(e), concerning the funding of the
20 Arkansas Comprehensive Health Insurance Pool, is amended to read as follows:

21

22 (e) Payment from the State Insurance Department Trust Fund.

23 (1)(A) Following the close of each fiscal year, the board ~~and the plan~~
24 ~~administrator~~ shall determine whether the pool has incurred a deficit as
25 calculated under subdivision (b)(2) of this section.

26 (B) If a deficit under subdivision (b)(2) of this section has been
27 incurred, the State Insurance Department shall, during the next fiscal year,
28 ~~transfer from the State Insurance Department Trust Fund in equal quarterly~~
29 ~~installments during the next fiscal year~~ for deposit into the pool, from the
30 State Insurance Department Trust Fund, in equal quarterly installments, a sum
31 equal to the deficit from those funds in the State Insurance Department Trust
32 Fund that are in excess of the amount needed to meet the requirements of the
33 approved annual budget for the applicable fiscal year but not to exceed ~~eight~~
34 ~~two million dollars~~ ~~(\$8,000,000)~~ (\$2,000,000).

35 (2) For any fiscal year in which the board ~~and the plan administrator~~
36 determines that the pool did not incur a deficit as calculated under

1 subdivision (b)(2) of this section, the State Insurance Department ~~department~~
2 shall not, during the following fiscal year, transfer any funds to the pool
3 from the State Insurance Department Trust Fund under subdivision (e)(1)(B) of
4 this section ~~during the following fiscal year.~~

5

6 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
7 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL RATES
8 OF PAY. Due to the highly competitive job market conditions for the
9 insurance examination professionals and the necessity of recruiting and
10 retaining qualified personnel, the Arkansas Insurance Department is
11 authorized special rates of pay for current and new employees in the
12 classifications listed under subsection (a) below.

13 (a)

14 CLASS

15	CODE	TITLE	GRADE
16	A140	Insurance Senior Examiner	23
17	<u>A075</u>	<u>Financial Analyst II</u>	<u>21</u>
18	A038	Financial Analyst	20
19	A048	Insurance Examiner	20

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21 (b) The Insurance Department will submit a salary structure plan that
22 addresses the recruiting and retention needs of the department for approval
23 by the Chief Fiscal Officer and review by the Arkansas Legislative Council.
24 Salary adjustments implemented under this provision shall be reported monthly
25 to the Arkansas Legislative Council.

26 (c) This special provision shall be in full force and effect for the
27 biennium beginning July 1, ~~2003~~ 2005 and ending June 30, ~~2005~~ 2007.

28

29 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
30 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
31 PROVISION. In the event the State Insurance Department is unable to maintain a
32 full roster of examination personnel during the 2005-2007 Biennium, and upon
33 approval of the Chief Fiscal Officer of the State, the resulting unused
34 appropriations in Regular Salaries, Extra Help, and Personal Services Matching
35 may be transferred to the Professional Services special line item for the
36 purpose of contracting with qualified individuals or firms for examination

1 assistance.

2 The provisions of this section shall be in effect only from July 1, 2005
3 through June 30, 2007.

4
5 SECTION 27. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
6 by this act shall be limited to the appropriation for such agency and funds
7 made available by law for the support of such appropriations; and the
8 restrictions of the State Procurement Law, the General Accounting and
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
10 Procedures and Restrictions Act, or their successors, and other fiscal
11 control laws of this State, where applicable, and regulations promulgated by
12 the Department of Finance and Administration, as authorized by law, shall be
13 strictly complied with in disbursement of said funds.

14
15 SECTION 28. LEGISLATIVE INTENT. It is the intent of the General Assembly
16 that any funds disbursed under the authority of the appropriations contained
17 in this act shall be in compliance with the stated reasons for which this act
18 was adopted, as evidenced by the Agency Requests, Executive Recommendations
19 and Legislative Recommendations contained in the budget manuals prepared by
20 the Department of Finance and Administration, letters, or summarized oral
21 testimony in the official minutes of the Arkansas Legislative Council or
22 Joint Budget Committee which relate to its passage and adoption.

23
24 SECTION 29. EMERGENCY CLAUSE. It is found and determined by the General
25 Assembly, that the Constitution of the State of Arkansas prohibits the
26 appropriation of funds for more than a two (2) year period; that the
27 effectiveness of this Act on July 1, 2005 is essential to the operation of
28 the agency for which the appropriations in this Act are provided, and that in
29 the event of an extension of the Regular Session, the delay in the effective
30 date of this Act beyond July 1, 2005 could work irreparable harm upon the
31 proper administration and provision of essential governmental programs.
32 Therefore, an emergency is hereby declared to exist and this Act being
33 necessary for the immediate preservation of the public peace, health and
34 safety shall be in full force and effect from and after July 1, 2005.

35
36 /s/ Joint Budget Committee