

State of Arkansas
92nd General Assembly
Fiscal Session, 2020

A Bill

SENATE BILL 81

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF LABOR
AND LICENSING - WORKERS' COMPENSATION COMMISSION FOR
THE FISCAL YEAR ENDING JUNE 30, 2021; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF LABOR AND
LICENSING - WORKERS' COMPENSATION
COMMISSION APPROPRIATION FOR THE 2020-
2021 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the
Department of Labor and Licensing - Workers' Compensation Commission for the
2020-2021 fiscal year, the following maximum number of regular employees.

Item	Class		Maximum Annual Salary Rate Fiscal Year 2020-2021
No.	Code	Title	Employees
(1)	U100U	WCC CHAIRMAN	1
(2)	U007U	WCC COMMISSIONER	2
(3)	U046U	WCC CHIEF EXEC OFFICER	1
(4)	L038C	REGISTERED NURSE	1
(5)	D007C	INFORMATION SYSTEMS MANAGER	1
(6)	D030C	INFORMATION SYSTEMS COORDINATOR	2



1	(7)	D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
2	(8)	D052C SOFTWARE SUPPORT ANALYST	1	GRADE IT05
3	(9)	D062C DATABASE ANALYST	1	GRADE IT04
4	(10)	D071C COMPUTER SUPPORT ANALYST	1	GRADE IT03
5	(11)	N070N WCC ASST CHIEF EXECUTIVE OFFICER	1	GRADE GS15
6	(12)	G005N WCC CHIEF ADMIN LAW JUDGE	1	GRADE GS15
7	(13)	G010N WCC ADMINISTRATIVE LAW JUDGE	13	GRADE GS14
8	(14)	G004C MANAGING ATTORNEY	1	GRADE GS13
9	(15)	G047C ATTORNEY SPECIALIST	6	GRADE GS11
10	(16)	G007C WCC DIVISION MANAGER	7	GRADE GS11
11	(17)	G073C ATTORNEY	5	GRADE GS10
12	(18)	A052C ACCOUNTING COORDINATOR	1	GRADE GS09
13	(19)	A042C INSURANCE SENIOR EXAMINER	2	GRADE GS09
14	(20)	G093C OPERATIONS MANAGER	1	GRADE GS08
15	(21)	G107C WCC PROGRAM MANAGER	4	GRADE GS08
16	(22)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
17	(23)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE GS07
18	(24)	C009C HEARING REPORTER	3	GRADE GS07
19	(25)	G168C INDUSTRIAL CONSULTANT	4	GRADE GS07
20	(26)	A074C FISCAL SUPPORT SUPERVISOR	5	GRADE GS06
21	(27)	G179C LEGAL SERVICES SPECIALIST	2	GRADE GS06
22	(28)	G160C WCC PROGRAM COORDINATOR	2	GRADE GS06
23	(29)	G193C WCC PROGRAM SPECIALIST	14	GRADE GS06
24	(30)	C036C ADMINISTRATIVE REVIEW ANALYST	1	GRADE GS05
25	(31)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	3	GRADE GS05
26	(32)	X123C INSURANCE INVESTIGATOR	3	GRADE GS05
27	(33)	C056C ADMINISTRATIVE SPECIALIST III	13	GRADE GS04
28	(34)	R038C HUMAN RESOURCES ASSISTANT	1	GRADE GS04
29	(35)	C046C LEGAL SUPPORT SPECIALIST	5	GRADE GS04
30	(36)	C043C RECORDS MANAGEMENT ANALYST	1	GRADE GS04
31	(37)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03
32		MAX. NO. OF EMPLOYEES	115	

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34 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 35 of Labor and Licensing - Workers' Compensation Commission for the 2020-2021
 36 fiscal year, the following maximum number of part-time or temporary

employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) 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, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - WCC - ADMINISTRATION. There is hereby appropriated, to the Department of Labor and Licensing, to be payable from the Workers' Compensation Fund, for personal services and operating expenses of the Department of Labor and Licensing - Workers' Compensation Commission - Administration for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$6,662,285
(02) EXTRA HELP	100,000
(03) PERSONAL SERVICES MATCHING	2,125,869
(04) OVERTIME	10,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,305,495
(B) CONF. & TRAVEL	20,000
(C) PROF. FEES	241,000
(D) CAP. OUTLAY	50,000
(E) DATA PROC.	0
(06) REFUND/REIMBURSEMENTS - ADMIN	500,000
(07) COMPUTER SOFTWARE/HARDWARE	<u>243,800</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$11,258,449</u></u>

SECTION 4. APPROPRIATION - REFUNDS/CLAIMS/INVESTMENTS. There is hereby appropriated, to the Department of Labor and Licensing, to be payable from the Death and Permanent Total Disability Trust Fund, for refund of taxes, payment of death and total disability claims, and investment of funds in the Death and Permanent Total Disability Trust Fund as allowed by the Department of Labor and Licensing - Workers' Compensation Commission for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REFUND/REIMBURSEMENTS - DEATH AND	
TOTAL DISABILITY TOTAL DISABILITY	\$550,000
(02) CLAIMS - DEATH AND TOTAL DISABILITY	<u>21,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$21,550,000</u>

SECTION 5. APPROPRIATION - SECOND INJURY CLAIMS. There is hereby appropriated, to the Department of Labor and Licensing, to be payable from the Second Injury Trust Fund, for payment of second injury claims of the Department of Labor and Licensing - Workers' Compensation Commission - Second Injury Claims for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) CLAIMS - SECOND INJURY	<u>\$500,000</u>

SECTION 6. APPROPRIATION - SEMINAR - CASH. There is hereby appropriated, to the Department of Labor and Licensing, 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 Department of Labor and Licensing - Workers' Compensation Commission for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</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 7. APPROPRIATION - WORKERS' COMPENSATION COMMISSION BUILDING.

There is hereby appropriated, to the Department of Labor and Licensing, to be payable from the Workers' Compensation Fund, for maintenance, renovation, equipping, construction, improvement, upgrade and repair projects for the Department of Labor and Licensing - Workers' Compensation Commission Building for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) BUILDING REPAIRS AND MAINTENANCE	<u>\$150,000</u>

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO EXPENDITURE. The proceeds from the reimbursement of travel expenses received by the Arkansas Workers' Compensation Commission shall be deposited into the same State Treasury Fund or Fund Account from which the original travel expenditures was incurred as a refund to expenditure to the credit of the appropriation from which the original expenditure was made.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFERS. After receiving approval from the Chief Fiscal Officer of the State, the Director of the Arkansas Workers' Compensation Commission is

1 authorized to transfer funds from the Second Injury Trust Fund to the Death
2 and Total Disability Trust Fund and/or the Workers' Compensation Trust Fund.

3 The provisions of this section shall be in effect only from July 1, 2019
4 2020 through June 30, ~~2020~~ 2021.

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

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16 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General
17 Assembly that any funds disbursed under the authority of the appropriations
18 contained in this act shall be in compliance with the stated reasons for
19 which this act was adopted, as evidenced by the Agency Requests, Executive
20 Recommendations and Legislative Recommendations contained in the budget
21 manuals prepared by the Department of Finance and Administration, letters, or
22 summarized oral testimony in the official minutes of the Arkansas Legislative
23 Council or Joint Budget Committee which relate to its passage and adoption.

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25 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the
26 General Assembly, that the Constitution of the State of Arkansas prohibits
27 the appropriation of funds for more than a one (1) year period; that the
28 effectiveness of this Act on July 1, 2020 is essential to the operation of
29 the agency for which the appropriations in this Act are provided, and that in
30 the event of an extension of the legislative session, the delay in the
31 effective date of this Act beyond July 1, 2020 could work irreparable harm
32 upon the proper administration and provision of essential governmental
33 programs. Therefore, an emergency is hereby declared to exist and this Act
34 being necessary for the immediate preservation of the public peace, health
35 and safety shall be in full force and effect from and after July 1, 2020.