

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

SENATE BILL 26

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF LABOR  
10 AND LICENSING - WORKERS' COMPENSATION COMMISSION FOR  
11 THE FISCAL YEAR ENDING JUNE 30, 2024; AND FOR OTHER  
12 PURPOSES.  
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## Subtitle

15 AN ACT FOR THE DEPARTMENT OF LABOR AND  
16 LICENSING - WORKERS' COMPENSATION  
17 COMMISSION APPROPRIATION FOR THE 2023-  
18 2024 FISCAL YEAR.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the  
25 Department of Labor and Licensing - Workers' Compensation Commission for the  
26 2023-2024 fiscal year, the following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
32	(1) U100U	DLL WCC CHAIRMAN	1	GRADE SE03
33	(2) U007U	DLL WCC COMMISSIONER	2	GRADE SE02
34	(3) U046U	DLL WCC CHIEF EXEC OFFICER	1	GRADE SE01
35	(4) L038C	REGISTERED NURSE	1	GRADE MP01
36	(5) D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08



1	(6)	D030C INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
2	(7)	D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
3	(8)	D052C SOFTWARE SUPPORT ANALYST	1	GRADE IT05
4	(9)	D062C DATABASE ANALYST	1	GRADE IT04
5	(10)	D071C COMPUTER SUPPORT ANALYST	1	GRADE IT03
6	(11)	N070N DLL WCC ASST CHIEF EXECUTIVE OFFICER	1	GRADE GS15
7	(12)	G005N DLL WCC CHIEF ADMIN LAW JUDGE	1	GRADE GS15
8	(13)	G010N DLL WCC ADMINISTRATIVE LAW JUDGE	13	GRADE GS14
9	(14)	G004C MANAGING ATTORNEY	1	GRADE GS13
10	(15)	G047C ATTORNEY SPECIALIST	6	GRADE GS11
11	(16)	G007C DLL WCC DIVISION MANAGER	7	GRADE GS11
12	(17)	G073C ATTORNEY	5	GRADE GS10
13	(18)	A052C ACCOUNTING COORDINATOR	1	GRADE GS09
14	(19)	A042C INSURANCE SENIOR EXAMINER	2	GRADE GS09
15	(20)	G107C DLL WCC PROGRAM MANAGER	4	GRADE GS08
16	(21)	G093C OPERATIONS MANAGER	1	GRADE GS08
17	(22)	R024C ASSISTANT PERSONNEL MANAGER	1	GRADE GS07
18	(23)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE GS07
19	(24)	C009C HEARING REPORTER	3	GRADE GS07
20	(25)	G168C INDUSTRIAL CONSULTANT	4	GRADE GS07
21	(26)	G160C DLL WCC PROGRAM COORDINATOR	2	GRADE GS06
22	(27)	G193C DLL WCC PROGRAM SPECIALIST	13	GRADE GS06
23	(28)	A074C FISCAL SUPPORT SUPERVISOR	5	GRADE GS06
24	(29)	G179C LEGAL SERVICES SPECIALIST	2	GRADE GS06
25	(30)	C036C ADMINISTRATIVE REVIEW ANALYST	1	GRADE GS05
26	(31)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	2	GRADE GS05
27	(32)	X123C INSURANCE INVESTIGATOR	3	GRADE GS05
28	(33)	C056C ADMINISTRATIVE SPECIALIST III	10	GRADE GS04
29	(34)	C046C LEGAL SUPPORT SPECIALIST	3	GRADE GS04
30	(35)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03
31		MAX. NO. OF EMPLOYEES	105	

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33 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department  
 34 of Labor and Licensing - Workers' Compensation Commission for the 2023-2024  
 35 fiscal year, the following maximum number of part-time or temporary  
 36 employees, to be known as "Extra Help", payable from funds appropriated

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

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 6 SECTION 3. APPROPRIATION - WCC ADMINISTRATION. There is hereby  
 7 appropriated, to the Department of Labor and Licensing, to be payable from  
 8 the Workers' Compensation Fund, for personal services and operating expenses  
 9 of the Department of Labor and Licensing - Workers' Compensation Commission -  
 10 Administration for the fiscal year ending June 30, 2024, the following:

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12 ITEM	FISCAL YEAR
13 <u>NO.</u>	<u>2023-2024</u>
14 (01) REGULAR SALARIES	\$6,664,415
15 (02) EXTRA HELP	100,000
16 (03) PERSONAL SERVICES MATCHING	2,277,558
17 (04) OVERTIME	10,000
18 (05) MAINT. & GEN. OPERATION	
19 (A) OPER. EXPENSE	1,305,495
20 (B) CONF. & TRAVEL	20,000
21 (C) PROF. FEES	241,000
22 (D) CAP. OUTLAY	0
23 (E) DATA PROC.	0
24 (06) REFUND/REIMBURSEMENTS - ADMIN	500,000
25 (07) COMPUTER SOFTWARE/HARDWARE	<u>243,800</u>
26 TOTAL AMOUNT APPROPRIATED	<u>\$11,362,268</u>

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 28 SECTION 4. APPROPRIATION - REFUNDS/CLAIMS/INVESTMENTS. There is hereby  
 29 appropriated, to the Department of Labor and Licensing, to be payable from  
 30 the Death and Permanent Total Disability Trust Fund, for refund of taxes,  
 31 payment of death and total disability claims, and investment of funds in the  
 32 Death and Permanent Total Disability Trust Fund as allowed by the Department  
 33 of Labor and Licensing - Workers' Compensation Commission for the fiscal year  
 34 ending June 30, 2024, the following:

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 36 ITEM FISCAL YEAR

1	<u>NO.</u>	<u>2023-2024</u>
2	(01) REFUND/REIMBURSEMENTS - DEATH AND	
3	TOTAL DISABILITY	\$550,000
4	(02) CLAIMS - DEATH AND TOTAL DISABILITY	<u>21,000,000</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$21,550,000</u></u>

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7 SECTION 5. APPROPRIATION - SECOND INJURY CLAIMS. There is hereby

8 appropriated, to the Department of Labor and Licensing, to be payable from

9 the Second Injury Trust Fund, for payment of second injury claims of the

10 Department of Labor and Licensing - Workers' Compensation Commission - Second

11 Injury Claims for the fiscal year ending June 30, 2024, the following:

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13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2023-2024</u>
15	(01) CLAIMS - SECOND INJURY	<u><u>\$500,000</u></u>

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17 SECTION 6. APPROPRIATION - SEMINAR - CASH. There is hereby

18 appropriated, to the Department of Labor and Licensing, to be payable from

19 the cash fund deposited in the State Treasury as determined by the Chief

20 Fiscal Officer of the State, for scholarships and educational conference

21 expenses of the Department of Labor and Licensing - Workers' Compensation

22 Commission for the fiscal year ending June 30, 2024, the following:

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24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2023-2024</u>
26	(01) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	\$85,000
28	(B) CONF. & TRAVEL	0
29	(C) PROF. FEES	15,000
30	(D) CAP. OUTLAY	0
31	(E) DATA PROC.	0
32	(02) SCHOLARSHIPS	<u>40,000</u>
33	TOTAL AMOUNT APPROPRIATED	<u><u>\$140,000</u></u>

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35 SECTION 7. APPROPRIATION - WORKERS' COMPENSATION COMMISSION BUILDING.

36 There is hereby appropriated, to the Department of Labor and Licensing, to be

1 payable from the Workers' Compensation Fund, for maintenance, renovation,  
 2 equipping, construction, improvement, upgrade and repair projects for the  
 3 Department of Labor and Licensing - Workers' Compensation Commission Building  
 4 for the fiscal year ending June 30, 2024, the following:

ITEM	FISCAL YEAR
NO.	2023-2024
(01) BUILDING REPAIRS AND MAINTENANCE	<u>\$150,000</u>

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 10 SECTION 8. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 11,  
 11 Chapter 9, Subchapter 2, is amended to add an additional section to codify  
 12 special language in appropriation acts to read as follows:

13 11-9-211. Workers' Compensation Commission – Investment authority.

14 (a) All funds held at any time in the Death and Permanent Total  
 15 Disability Trust Fund, the Second Injury Trust Fund, and the Workers'  
 16 Compensation Fund shall be invested and reinvested to the extent feasible.

17 (b) All investments authorized for use by the Treasurer of State shall  
 18 be available for investment of the listed funds.

19 (c) The movement of these funds into and out of investments shall be  
 20 by fund transfers as directed by the Chief Executive Officer of the Workers'  
 21 Compensation Commission with the approval of the Workers' Compensation  
 22 Commission.

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

32 The provisions of this section shall be in effect only from July 1, ~~2022~~  
 33 2023 through June 30, ~~2023~~ 2024.

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 35 SECTION 10. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 11,  
 36 Chapter 9, Subchapter 2, is amended to add an additional section to codify

1 special language in appropriation acts to read as follows:

2 11-9-212. Workers' Compensation Commission – Fund transfers.

3 After receiving approval from the Chief Fiscal Officer of the State,  
4 the Chief Executive Officer of the Workers' Compensation Commission, after  
5 receiving approval of the Worker's Compensation Commission may transfer funds  
6 from the Second Injury Trust Fund to the Death and Permanent Total Disability  
7 Trust Fund or the Workers' Compensation Fund, or both.

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

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

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28 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the  
29 General Assembly, that the Constitution of the State of Arkansas prohibits  
30 the appropriation of funds for more than a one (1) year period; that the  
31 effectiveness of this Act on July 1, 2023 is essential to the operation of  
32 the agency for which the appropriations in this Act are provided, and that in  
33 the event of an extension of the legislative session, the delay in the  
34 effective date of this Act beyond July 1, 2023 could work irreparable harm  
35 upon the proper administration and provision of essential governmental  
36 programs. Therefore, an emergency is hereby declared to exist and this Act

1 being necessary for the immediate preservation of the public peace, health  
2 and safety shall be in full force and effect from and after July 1, 2023.

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