

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 42

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 WORKERS' COMPENSATION
10 COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2020;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE WORKERS' COMPENSATION
15 COMMISSION APPROPRIATION FOR THE 2019-
16 2020 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Workers' Compensation Commission for the 2019-2020 fiscal year, the following
24 maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
30	(1) U100U	WCC CHAIRMAN	1	GRADE SE03
31	(2) U007U	WCC COMMISSIONER	2	GRADE SE02
32	(3) U046U	WCC CHIEF EXEC OFFICER	1	GRADE SE01
33	(4) L038C	REGISTERED NURSE	1	GRADE MP01
34	(5) D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
35	(6) D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE IT07
36	(7) D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE IT05

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

32

33 SECTION 2. EXTRA HELP. There is hereby authorized, for the Workers'
 34 Compensation Commission for the 2019-2020 fiscal year, the following maximum
 35 number of part-time or temporary employees, to be known as "Extra Help",
 36 payable from funds appropriated herein for such purposes: two (2) temporary

1 or part-time employees, when needed, at rates of pay not to exceed those
 2 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. APPROPRIATION - ADMINISTRATION. There is hereby
 6 appropriated, to the Workers' Compensation Commission, to be payable from the
 7 Workers' Compensation Fund, for personal services and operating expenses of
 8 the Workers' Compensation Commission - Administration for the fiscal year
 9 ending June 30, 2020, the following:

11 ITEM	FISCAL YEAR
12 <u>NO.</u>	<u>2019-2020</u>
13 (01) REGULAR SALARIES	\$6,661,185
14 (02) EXTRA HELP	100,000
15 (03) PERSONAL SERVICES MATCHING	2,125,040
16 (04) OVERTIME	10,000
17 (05) MAINT. & GEN. OPERATION	
18 (A) OPER. EXPENSE	1,305,495
19 (B) CONF. & TRAVEL	20,000
20 (C) PROF. FEES	241,000
21 (D) CAP. OUTLAY	50,000
22 (E) DATA PROC.	0
23 (06) REFUND/REIMBURSEMENTS - ADMIN	500,000
24 (07) COMPUTER SOFTWARE/HARDWARE	<u>243,800</u>
25 TOTAL AMOUNT APPROPRIATED	<u>\$11,256,520</u>

26
 27 SECTION 4. APPROPRIATION - REFUNDS/CLAIMS/INVESTMENTS. There is hereby
 28 appropriated, to the Workers' Compensation Commission, to be payable from the
 29 Death and Permanent Total Disability Trust Fund, for refund of taxes, payment
 30 of death and total disability claims, and investment of funds in the Death
 31 and Permanent Total Disability Trust Fund as allowed by the Workers'
 32 Compensation Commission for the fiscal year ending June 30, 2020, the
 33 following:

35 ITEM	FISCAL YEAR
36 <u>NO.</u>	<u>2019-2020</u>

1	(01) REFUND/REIMBURSEMENTS - DEATH AND	
2	TOTAL DISABILITY TOTAL DISABILITY	\$550,000
3	(02) CLAIMS - DEATH AND TOTAL DISABILITY	<u>21,000,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$21,550,000</u></u>

5
6 SECTION 5. APPROPRIATION - SECOND INJURY CLAIMS. There is hereby
7 appropriated, to the Workers' Compensation Commission, to be payable from the
8 Second Injury Trust Fund, for payment of second injury claims of the Workers'
9 Compensation Commission - Second Injury Claims for the fiscal year ending
10 June 30, 2020, the following:

11		
12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2019-2020</u>
14	(01) CLAIMS - SECOND INJURY	<u><u>\$500,000</u></u>

15
16 SECTION 6. APPROPRIATION - SEMINAR - CASH. There is hereby
17 appropriated, to the Workers' Compensation Commission, to be payable from the
18 cash fund deposited in the State Treasury as determined by the Chief Fiscal
19 Officer of the State, for scholarships and educational conference expenses of
20 the Workers' Compensation Commission for the fiscal year ending June 30,
21 2020, the following:

22		
23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2019-2020</u>
25	(01) MAINT. & GEN. OPERATION	
26	(A) OPER. EXPENSE	\$85,000
27	(B) CONF. & TRAVEL	0
28	(C) PROF. FEES	15,000
29	(D) CAP. OUTLAY	0
30	(E) DATA PROC.	0
31	(02) SCHOLARSHIPS	<u>40,000</u>
32	TOTAL AMOUNT APPROPRIATED	<u><u>\$140,000</u></u>

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34 SECTION 7. APPROPRIATION - WORKERS' COMPENSATION COMMISSION BUILDING.
35 There is hereby appropriated, to the Workers' Compensation Commission, to be
36 payable from the Workers' Compensation Fund, for maintenance, renovation,

1 equipping, construction, improvement, upgrade and repair projects for the
 2 Workers' Compensation Commission Building for the fiscal year ending June 30,
 3 2020, the following:

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2019-2020</u>
7 (01) BUILDING REPAIRS AND MAINTENANCE	<u>\$150,000</u>

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

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

18 The provisions of this section shall be in effect only from July 1, ~~2018~~
 19 2019 through June 30, ~~2019~~ 2020.

20
 21 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO
 23 EXPENDITURE. The proceeds from the reimbursement of travel expenses received
 24 by the Arkansas Workers' Compensation Commission shall be deposited into the
 25 same State Treasury Fund or Fund Account from which the original travel
 26 expenditures was incurred as a refund to expenditure to the credit of the
 27 appropriation from which the original expenditure was made.

28 The provisions of this section shall be in effect only from July 1, ~~2018~~
 29 2019 through June 30, ~~2019~~ 2020.

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 31 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 33 TRANSFERS. After receiving approval from the Chief Fiscal Officer of the
 34 State, the Director of the Arkansas Workers' Compensation Commission is
 35 authorized to transfer funds from the Second Injury Trust Fund to the Death
 36 and Total Disability Trust Fund and/or the Workers' Compensation Trust Fund.

1 The provisions of this section shall be in effect only from July 1, 2018
2 2019 through June 30, ~~2019~~ 2020.

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

13
14 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General
15 Assembly that any funds disbursed under the authority of the appropriations
16 contained in this act shall be in compliance with the stated reasons for
17 which this act was adopted, as evidenced by the Agency Requests, Executive
18 Recommendations and Legislative Recommendations contained in the budget
19 manuals prepared by the Department of Finance and Administration, letters, or
20 summarized oral testimony in the official minutes of the Arkansas Legislative
21 Council or Joint Budget Committee which relate to its passage and adoption.

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23 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the
24 General Assembly, that the Constitution of the State of Arkansas prohibits
25 the appropriation of funds for more than a one (1) year period; that the
26 effectiveness of this Act on July 1, 2019 is essential to the operation of
27 the agency for which the appropriations in this Act are provided, and that in
28 the event of an extension of the legislative session, the delay in the
29 effective date of this Act beyond July 1, 2019 could work irreparable harm
30 upon the proper administration and provision of essential governmental
31 programs. Therefore, an emergency is hereby declared to exist and this Act
32 being necessary for the immediate preservation of the public peace, health
33 and safety shall be in full force and effect from and after July 1, 2019.