

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 26

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, 2024; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF LABOR AND LICENSING - WORKERS' COMPENSATION COMMISSION APPROPRIATION FOR THE 2023-2024 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 2023-2024 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
(1)	U100U	DLL WCC CHAIRMAN	1	GRADE SE03
(2)	U007U	DLL WCC COMMISSIONER	2	GRADE SE02
(3)	U046U	DLL WCC CHIEF EXEC OFFICER	1	GRADE SE01
(4)	L038C	REGISTERED NURSE	1	GRADE MP01
(5)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08



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

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Labor and Licensing - Workers' Compensation Commission for the 2023-2024 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, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) REGULAR SALARIES	\$6,664,415
(02) EXTRA HELP	100,000
(03) PERSONAL SERVICES MATCHING	2,277,558
(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	0
(E) DATA PROC.	0
(06) REFUND/REIMBURSEMENTS - ADMIN	500,000
(07) COMPUTER SOFTWARE/HARDWARE	<u>243,800</u>
TOTAL AMOUNT APPROPRIATED	<u>\$11,362,268</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, 2024, the following:

ITEM	FISCAL YEAR
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NO.	2023-2024
(01) REFUND/REIMBURSEMENTS - DEATH AND TOTAL DISABILITY	\$550,000
(02) CLAIMS - DEATH AND TOTAL DISABILITY	<u>21,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$21,550,000</u></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, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) CLAIMS - SECOND INJURY	<u><u>\$500,000</u></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, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(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><u>\$140,000</u></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, 2024, the following:

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

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

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

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

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

(c) 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 with the approval of the Workers' Compensation Commission.

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORKERS' COMPENSATION COMMISSION - 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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

special language in appropriation acts to read as follows:

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

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

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

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

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

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