

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

SENATE BILL 47

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, 2022; 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 2021-
18 2022 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 2021-2022 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 2021-2022
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	14	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	3	GRADE GS05
27	(32)	X123C INSURANCE INVESTIGATOR	3	GRADE GS05
28	(33)	C056C ADMINISTRATIVE SPECIALIST III	13	GRADE GS04
29	(34)	R038C HUMAN RESOURCES ASSISTANT	1	GRADE GS04
30	(35)	C046C LEGAL SUPPORT SPECIALIST	5	GRADE GS04
31	(36)	C043C RECORDS MANAGEMENT ANALYST	1	GRADE GS04
32	(37)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03
33		MAX. NO. OF EMPLOYEES	114	

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35 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department

36 of Labor and Licensing - Workers' Compensation Commission for the 2021-2022

1 fiscal year, the following maximum number of part-time or temporary
 2 employees, to be known as "Extra Help", payable from funds appropriated
 3 herein for such purposes: two (2) temporary or part-time employees, when
 4 needed, at rates of pay not to exceed those provided in the Uniform
 5 Classification and Compensation Act, or its successor, or this act for the
 6 appropriate classification.

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 8 SECTION 3. APPROPRIATION - WCC ADMINISTRATION. There is hereby
 9 appropriated, to the Department of Labor and Licensing, to be payable from
 10 the Workers' Compensation Fund, for personal services and operating expenses
 11 of the Department of Labor and Licensing - Workers' Compensation Commission -
 12 Administration for the fiscal year ending June 30, 2022, the following:

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2021-2022</u>
16 (01) REGULAR SALARIES	\$6,712,185
17 (02) EXTRA HELP	100,000
18 (03) PERSONAL SERVICES MATCHING	2,173,493
19 (04) OVERTIME	10,000
20 (05) MAINT. & GEN. OPERATION	
21 (A) OPER. EXPENSE	1,305,495
22 (B) CONF. & TRAVEL	20,000
23 (C) PROF. FEES	241,000
24 (D) CAP. OUTLAY	0
25 (E) DATA PROC.	0
26 (06) REFUND/REIMBURSEMENTS - ADMIN	500,000
27 (07) COMPUTER SOFTWARE/HARDWARE	<u>243,800</u>
28 TOTAL AMOUNT APPROPRIATED	<u><u>\$11,305,973</u></u>

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 30 SECTION 4. APPROPRIATION - REFUNDS/CLAIMS/INVESTMENTS. There is hereby
 31 appropriated, to the Department of Labor and Licensing, to be payable from
 32 the Death and Permanent Total Disability Trust Fund, for refund of taxes,
 33 payment of death and total disability claims, and investment of funds in the
 34 Death and Permanent Total Disability Trust Fund as allowed by the Department
 35 of Labor and Licensing - Workers' Compensation Commission for the fiscal year
 36 ending June 30, 2022, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(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, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(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, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</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><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, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</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. WORKERS' COMPENSATION COMMISSION - 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. WORKERS'
2 COMPENSATION COMMISSION - FUND TRANSFERS. After receiving approval from the
3 Chief Fiscal Officer of the State, the Director of the Arkansas Workers'
4 Compensation Commission is authorized to transfer funds from the Second
5 Injury Trust Fund to the Death and Permanent Total Disability Trust Fund
6 and/or the Workers' Compensation Trust Fund.

7 The provisions of this section shall be in effect only from July 1, ~~2020~~
8 2021 through June 30, ~~2021~~ 2022.

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

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

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29 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the
30 General Assembly, that the Constitution of the State of Arkansas prohibits
31 the appropriation of funds for more than a one (1) year period; that the
32 effectiveness of this Act on July 1, 2021 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the legislative session, the delay in the
35 effective date of this Act beyond July 1, 2021 could work irreparable harm
36 upon the proper administration and provision of essential governmental

1 programs. Therefore, an emergency is hereby declared to exist and this Act
2 being necessary for the immediate preservation of the public peace, health
3 and safety shall be in full force and effect from and after July 1, 2021.

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