

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 351 of 2001
HOUSE BILL 1654

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR THE PAYMENT OF A
10 PORTION OF FULL-TIME JUVENILE PROBATION AND INTAKE
11 OFFICERS' SALARIES FOR THE BIENNIAL PERIOD ENDING JUNE
12 30, 2003; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE AUDITOR OF STATE -
16 JUVENILE PROBATION AND INTAKE OFFICERS
17 APPROPRIATION FOR THE 2001-2003
18 BIENNIAL PERIOD.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. APPROPRIATION - JUVENILE PROBATION AND INTAKE OFFICERS. There is
25 hereby appropriated, to the Auditor of State, to be payable from the State
26 Central Services Fund, for the payment of a portion of the salaries of full-
27 time juvenile probation and intake officers in accordance with Arkansas Code
28 16-13-327 for the biennial period ending June 30, 2003, the following:
29

ITEM	FISCAL YEARS	
	2001-2002	2002-2003
(01) JUVENILE PROBATION & INTAKE OFFICERS	\$ 1,852,200	\$ 1,944,810

30
31
32
33
34 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
35 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUVENILE INTAKE
36 AND PROBATION OFFICERS STATE REIMBURSEMENTS.

1 Arkansas Code 16-13-331 is amended to read as follows:

2 "16-13-331. State reimbursement.

3 (a) The Auditor of State shall administer the state reimbursement to the
4 counties for the juvenile officers' previous year salaries.

5 (b) In order for a county to receive the state reimbursement for juvenile
6 intake and probation officers the county must submit the following
7 documentation to the Auditor of State, including but not limited to:

8 (1) Proof of the juvenile officers' certification and continuing
9 education hours;

10 (2) A copy of the juvenile officers' W-2 form for the salary year that
11 is being reimbursed; and

12 (3) A completed form concerning the employment status of the officer
13 which shall be designed and distributed by the Auditor of State.

14 (c) If a county contracts with a service provider to provide juvenile
15 intake and probation services pursuant to § 16-13-330, the county must submit
16 documentation to the Auditor of State, including but not limited to:

17 (1) A copy of the contract for the salary year that is being
18 reimbursed;

19 (2) A copy of the juvenile officers' certification and continuing
20 education hours;

21 (3) A copy of the juvenile officers' W-2 form for the salary year that
22 is being reimbursed; and

23 (4) A completed form concerning the employment status of the officer
24 which shall be designed and distributed by the Auditor of State.

25 (d) A county may determine that part-time service of a juvenile officer is
26 sufficient to meet the needs of a county.

27 (1) Multiple counties in a judicial district may share the cost of the
28 salary of the intake and probation officer. One county may be designated as
29 the county to be reimbursed by the state or each county shall designate the
30 portion of the salary that it pays for juvenile intake and probation services.

31 (2) The county may contract with a service provider for full or part-
32 time juvenile intake and probation officer services and the county shall
33 indicate the percentage of the contractors' time that is spent providing
34 juvenile intake and probation officer services for the county. The county or
35 the contractor shall be reimbursed for one-half (1/2) of the portion of the
36 salary that is used for such services up to fifteen thousand dollars

1 (\$15,000).

2 (e) Nothing in this section removes the obligation for each juvenile judge
 3 to have a minimum of one (1) intake officer, pursuant to § 16-13-328 and one
 4 (1) probation officer, pursuant to § 16-13-327."

5 The provisions of this section shall be in effect only from July 1, 2001
 6 through June 30, 2003.

7
 8 SECTION 3. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 9 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
 10 appropriations as provided in this Act, the agency disbursing officer shall
 11 monitor the level of fund balances in relation to expenditures on a monthly
 12 basis. If any proposed expenditures would cause a fund balance to decline to
 13 less than fifty percent (50%) of the balance available on July 1, 2001, the
 14 disbursing officer shall immediately notify the executive head of the agency.

15 Prior to any obligations being made under these circumstances, the agency
 16 head shall file written documentation with the Chief Fiscal Officer of the
 17 State requesting approval of the expenditures. Such documentation shall
 18 provide sufficient financial data to justify the expenditures and shall
 19 include the following:

- 20 1) a plan that clearly indicates the specific fiscal impact of such
 21 expenditures on the fund balance.
- 22 2) information clearly indicating and explaining what programs would be cut or
 23 any other measures to be taken by the agency to restore the fund balance.
- 24 3) the extent to which any of the planned expenditures are for one-time costs
 25 or one-time purchase of capitalized items.
- 26 4) a statement certifying that the expenditure of fund balances will not
 27 jeopardize the financial health of the agency, nor result in a permanent
 28 depletion of the fund balance.

29 (B) The Chief Fiscal Officer of the State shall review the request and
 30 approve or disapprove all or any part of the request , after having sought
 31 prior review by the Legislative Council.

32
 33 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
 34 this act shall be limited to the appropriation for such agency and funds made
 35 available by law for the support of such appropriations; and the restrictions
 36 of the State Purchasing Law, the General Accounting and Budgetary Procedures

1 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
2 Restrictions Act, or their successors, and other fiscal control laws of this
3 State, where applicable, and regulations promulgated by the Department of
4 Finance and Administration, as authorized by law, shall be strictly complied
5 with in disbursement of said funds.

6
7 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
8 that any funds disbursed under the authority of the appropriations contained
9 in this act shall be in compliance with the stated reasons for which this act
10 was adopted, as evidenced by the Agency Requests, Executive Recommendations
11 and Legislative Recommendations contained in the budget manuals prepared by
12 the Department of Finance and Administration, letters, or summarized oral
13 testimony in the official minutes of the Arkansas Legislative Council or Joint
14 Budget Committee which relate to its passage and adoption.

15
16 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
17 Assembly, that the Constitution of the State of Arkansas prohibits the
18 appropriation of funds for more than a two (2) year period; that the
19 effectiveness of this Act on July 1, 2001 is essential to the operation of the
20 agency for which the appropriations in this Act are provided, and that in the
21 event of an extension of the Regular Session, the delay in the effective date
22 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
23 administration and provision of essential governmental programs. Therefore, an
24 emergency is hereby declared to exist and this Act being necessary for the
25 immediate preservation of the public peace, health and safety shall be in full
26 force and effect from and after July 1, 2001.

27
28
29 APPROVED: 2/21/2001
30
31
32
33
34
35
36