

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE COURT OF APPEALS FOR THE  
10 BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER  
11 PURPOSES."

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

15 SECTION 1. REGULAR SALARIES. There is hereby established for the Court  
16 of Appeals for the 1991-93 biennium, the following maximum number of regular  
17 employees and the grades to be assigned to the respective positions, and the  
18 maximum annual salaries for each such position shall be determined in  
19 accordance with, but shall not exceed the maximum annual amount for the grade  
20 assigned herein, as established in Arkansas Code §§21-5-209 and 21-5-215.  
21 Except for the purpose of determining the maximum annual salary rate, which is  
22 to be applicable to each of the positions to which a salary grade is assigned  
23 hereinafter, in accordance with all provisions of Arkansas Code §§21-5-209 and  
24 21-5-215, all positions set forth herein shall be exempt from other provisions  
25 of the Uniform Classification and Compensation Act, but shall not be exempt  
26 from the provisions of the Regular Salaries Procedures and Restrictions Act,  
27 or its successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1991-92	1992-93
33	(1)	Chief Staff Attorney	1	\$ 52,050	\$ 54,652
34	(2)	Chief Deputy Clerk	1	Grade 24	
35		Staff Attorney	3		

1	(3)	Law Clerk	12	Grade 21
2	(4)	Administrative Assistant	1	Grade 19
3	(5)	Deputy Clerk II	4	Grade 14
4	(6)	Secretary	<u>7</u>	Grade 13
5		Maximum No. of Employees	29	

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7 SECTION 2. EXTRA HELP. There is hereby authorized, for the Court of  
 8 Appeals for the 1991-93 biennium, the following maximum number of part-time or  
 9 temporary employees, to be known as "Extra Help", payable from funds  
 10 appropriated herein for such purposes: seven (7) temporary or part-time  
 11 employees, when needed, at rates of pay not to exceed those provided in the  
 12 Uniform Classification and Compensation Act, or its successor, for the  
 13 appropriate classification.

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15 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the Court  
 16 of Appeals, to be payable from the State Central Services Fund, for personal  
 17 services and operating expenses of the Court of Appeals for the biennial  
 18 period ending June 30, 1993, the following:

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20	ITEM	FISCAL YEARS	
21	NO.	1991-92	1992-93
22	(01) REGULAR SALARIES	\$ 810,986	\$851,536
23	(02) EXTRA HELP	25,000	25,000
24	(03) PERSONAL SERVICES MATCHING	191,034	200,576
25	(04) MAINTENANCE & GENERAL OPERATIONS		
26	(A) OPER. EXPENSES	\$ 170,483	\$ 170,483
27	(B) CONF. & TRAVEL	21,013	21,013
28	(C) PROF. FEES	0	0
29	(D) CAPITAL OUTLAY	30,250	30,250
30	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
31	TOTAL MAINT. & GEN. OPER.	221,746	221,746
32	(05) SPECIAL JUDGES	7,500	10,000
33	(06) COURT APPOINTED ATTORNEYS	<u>59,000</u>	<u>64,900</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$1,315,266</u>	<u>\$1,373,758</u>

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

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

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20           SECTION 6. CODE. All provisions of this Act of a general and permanent  
21 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
22 Code Revision Commission shall incorporate the same in the Code.

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24           SECTION 7. SEVERABILITY. If any provision of this Act or the  
25 application thereof to any person or circumstance is held invalid, such  
26 invalidity shall not affect other provisions or applications of the Act which  
27 can be given effect without the invalid provision or application, and to this  
28 end the provisions of this Act are declared to be severable.

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30           SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict  
31 with this Act are hereby repealed.

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33           SECTION 9. HEALTH PREMIUMS. The Court of Appeals shall not, during the  
34 1992-93 fiscal year, spend more for health insurance per employee than the  
35 amount being contributed to the State Employees Health Insurance Program.

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SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1991 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 Regular Session, the delay in the effective date of this Act beyond July 1, 1991 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, 1991.

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