

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

A Bill

SENATE BILL 398

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE JUDICIAL DISCIPLINE AND
10 DISABILITY COMMISSION FOR THE BIENNIAL PERIOD ENDING
11 JUNE 30, 1993; AND FOR OTHER 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
16 Judicial Discipline and Disability Commission for the 1991-93 biennium, the
17 following maximum number of regular employees whose salaries shall be governed
18 by the provisions of the Uniform Classification and Compensation Act (Arkansas
19 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
20 Provided, however, that any position to which a specific maximum annual salary
21 is set out herein in dollars, shall be exempt from the provisions of said
22 Uniform Classification and Compensation Act. All persons occupying positions
23 authorized herein are hereby governed by the provisions of the Regular
24 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
25 successor.

Item	Class	Maximum	Maximum Annual		
			No. of	Salary Rate	
No.	Code	Title	Employees	1991-92	1992-93
31	(01)	DIRECTOR	1	\$ 50,780	\$ 53,319
32	(02)	INVESTIGATOR	1	\$ 32,000	\$ 33,600
33	(03)	OFFICE MANAGER	<u>1</u>	\$ 19,748	\$ 20,736
34		MAXIMUM NO. OF EMPLOYEES	3		

1 SECTION 2. EXTRA HELP. There is hereby authorized, for the Judicial
 2 Discipline and Disability Commission for the 1991-93 biennium, the following
 3 maximum number of part-time or temporary employees, to be known as "Extra
 4 Help", payable from funds appropriated herein for such purposes: two (2)
 5 temporary or part-time employees, when needed, at rates of pay not to exceed
 6 those provided in the Uniform Classification and Compensation Act, or its
 7 successor, or this act for the appropriate classification.

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9 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the
 10 Judicial Discipline and Disability Commission, to be payable from the State
 11 Central Services Fund, for personal services and operating expenses of the
 12 Judicial Discipline and Disability Commission for the biennial period ending
 13 June 30, 1993, the following:

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15 ITEM	FISCAL YEARS	
16 NO.	1991-92	1992-93
17 (01) REGULAR SALARIES	\$ 102,528	\$ 107,655
18 (02) EXTRA HELP	15,000	16,000
19 (03) PERSONAL SERVICES MATCHING	24,094	25,299
20 (04) MAINTENANCE & GENERAL OPERATIONS		
21 (A) OPER. EXPENSES \$ 34,250	\$ 36,350	
22 (B) CONF. & TRAVEL 4,000	4,000	
23 (C) PROF. FEES 46,500	47,000	
24 (D) CAPITAL OUTLAY 6,600	8,300	
25 (E) DATA PROCESSING 0	0	
26 TOTAL MAINT. & GEN. OPERATIONS	91,350	95,650
27 (05) MILEAGE EXPENSE FOR INVESTIGATOR	5,750	5,750
28 TOTAL AMOUNT APPROPRIATED	<u>\$238,722</u>	<u>\$250,354</u>

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30 SECTION 4. No more than \$40,000 of the funds appropriated for
 31 Professional Fees and Services may be expended in any one fiscal year for
 32 contractual services of an attorney to represent the Commission when reviewing
 33 cases of judicial misconduct. Provided further, none of these funds shall be
 34 spent for contractual services of an attorney until it has been determined by
 35 the Attorney General these services cannot be provided by his office.

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1 SECTION 5. *No funds appropriated herein shall be expended until the*
2 *Judicial Discipline and Disability Commission has developed and implemented*
3 *procedures, rules and regulations for issuing advisory opinions to elected*
4 *officials.*

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

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16 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
17 Assembly that any funds disbursed under the authority of the appropriations
18 contained in this Act shall be in compliance with the stated reasons for which
19 this Act was adopted, as evidenced by the Agency Requests, Executive
20 Recommendations and Legislative Recommendations contained in the budget
21 manuals prepared by the Department of Finance and Administration, letters, or
22 summarized oral testimony in the official minutes of the Arkansas Legislative
23 Council or Joint Budget Committee which relate to its passage and adoption.

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25 SECTION 8. CODE. All provisions of this Act of a general and permanent
26 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
27 Code Revision Commission shall incorporate the same in the Code.

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29 SECTION 9. SEVERABILITY. If any provision of this Act or the
30 application thereof to any person or circumstance is held invalid, such
31 invalidity shall not affect other provisions or applications of the Act which
32 can be given effect without the invalid provision or application, and to this
33 end the provisions of this Act are declared to be severable.

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35 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict

1 with this Act are hereby repealed.

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3 SECTION 11. HEALTH PREMIUMS. The Judicial Discipline and Disability
4 Commission shall not, during the 1992-93 fiscal year, spend more for health
5 insurance per employee than the amount being contributed to the State
6 Employees Health Insurance Program.

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9 SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by the
10 Seventy-Eighth General Assembly, that the Constitution of the State of
11 Arkansas prohibits the appropriation of funds for more than a two (2) year
12 period; that the effectiveness of this Act on July 1, 1991 is essential to the
13 operation of the agency for which the appropriations in this Act are provided,
14 and that in the event of an extension of the Regular Session, the delay in the
15 effective date of this Act beyond July 1, 1991 could work irreparable harm
16 upon the proper administration and provision of essential governmental
17 programs. Therefore, an emergency is hereby declared to exist and this Act
18 being necessary for the immediate preservation of the public peace, health and
19 safety shall be in full force and effect from and after July 1, 1991.

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/s/Russ

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