

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

A Bill

SENATE BILL 641

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR THE COURT OF APPEALS
9 WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS
10 APPROPRIATED BY ACT 111 OF 1991 AND ACT 7 OF 1991, FOR THE
11 BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER
12 PURPOSES."

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

16 SECTION 1. REGULAR SALARIES. There is hereby established for the Court
17 of Appeals for the 1991-93 biennium, the following maximum number of regular
18 employees which shall be supplemental and in addition to those positions
19 authorized in Section 1 of Act 111 of 1991; the grades assigned to the
20 respective positions and the maximum annual salaries for each such position
21 shall be determined in accordance with, but shall not exceed the maximum
22 annual amount for the grade assigned herein, as established in Arkansas Code
23 §§21-5-209 and 21-5-215. Except for the purpose of determining the maximum
24 annual salary rate, which is applicable to each of the positions to which a
25 salary grade is assigned herinafter, in accordance with all provisions of
26 Arkansas Code §§21-5-209 and 21-5-215, all positions set forth herein shall be
27 exempt from other provisions of the Uniform Classification and Compensation
28 Act, but shall not be exempt from the provisions of the Regular Salaries
29 Procedures and Restrictions Act, or its successor.

Item	Class	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				1991-92	1992-93
34 (1)		LAW CLERK	12	GRADE 21	
35 (2)		SECRETARY	<u>6</u>	GRADE 13	

1 MAXIMUM NO. OF EMPLOYEES 18

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3 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Court
 4 of Appeals, to be payable from the State Central Services Fund, for personal
 5 services and operating expenses of the Court of Appeals which shall be
 6 supplemental and in addition to those funds appropriated in Section 3 of Act
 7 111 of 1991, for the biennial period ending June 30, 1993, the following:

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9 ITEM		FISCAL YEARS	
10 NO.		1991-92	1992-92
11 (01)	REGULAR SALARIES	\$ 188,220	\$ 395,262
12 (02)	PERSONAL SERVICES MATCHING	42,538	89,329
13 (03)	MAINT. & GEN. OPERATION		
14	(A) OPER. EXPENSES	\$ 60,242	\$ 120,483
15	(B) CONF. & TRAVEL	10,507	21,013
16	(C) PROF. FEES	0	0
17	(D) CAPITAL OUTLAY	80,250	80,250
18	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
19	TOTAL MAINT. & GEN. OPER.	150,999	221,746
20 (04)	SPECIAL JUDGES	3,750	7,500
21 (05)	COURT APPOINTED ATTORNEYS	<u>12,000</u>	<u>24,000</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$ 397,507</u>	<u>\$ 737,837</u>

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24 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the
 25 Auditor of State, to be payable from the Constitutional Officers Fund, for
 26 personal services and expenses of the Judicial Branch of the State of Arkansas
 27 which shall be supplemental and in addition to those funds appropriated in
 28 Section 1 of Act 7 of 1991, for the biennial period ending June 30, 1993, the
 29 following:

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31 ITEM		FISCAL YEARS	
32 NO.		1991-92	1992-93
33 (01)	SALARIES OF SIX COURT OF APPEALS JUDGES		
34	OF \$73,752 FOR 1991-92 AND \$77,440 FOR 1992-93	\$221,256	\$464,640
35 (02)	HOUSING & TRANSPORTATION EXPENSES OF		
36	COURT OF APPEALS JUDGES AS AUTHORIZED		

1	BY LAW	19,800	39,600
2	(03) PERSONAL SERVICES MATCHING	<u>50,004</u>	<u>105,009</u>
3			
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 291,060</u>	<u>\$ 609,249</u>
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6 SECTION 4. HOUSING, TRANSPORTATION AND OTHER EXPENSES - COURT OF
7 APPEALS. The General Assembly recognizes that each judge of the Arkansas
8 Court of Appeals incurs considerable expense in carrying out his or her
9 responsibilities to the people of the State of Arkansas, including expenses
10 for housing; the purchase and maintenance of an automobile; the acquisition,
11 maintenance and equipping of a home-office where the judge can work nights,
12 and other times when it is inappropriate or impractical to work in his or her
13 regular office; for attending bar, civic and social meetings and in otherwise
14 carrying out their responsibilities as judges of the Arkansas Court of
15 Appeals; and that said judges should be entitled to an expense allowance to
16 cover such expenses.

17 The funds appropriated by Item (02) of Section 3 herein may be used by
18 each judge of the Arkansas Court of Appeals to cover his expenses. The
19 monthly allowance for fiscal year 1991-92 shall not exceed \$550 per month and
20 for fiscal year 1992-93 shall not exceed \$550 per month.

21 The amount prescribed herein shall be paid monthly upon vouchers
22 submitted by such judges, with each such voucher to state only that it is for
23 expenses incurred by such judge in carrying out his or her responsibilities to
24 the people of the State as described herein.

25 Upon receipt of each such voucher, the Auditor of State shall issue a
26 warrant payable to the judge claiming such expense allowance and the State
27 Treasurer is hereby authorized to pay the same from the funds appropriated for
28 such purpose. The balance of the appropriation for housing and transportation
29 which remains at the close of business of the fiscal year ending June 30,
30 1992, shall be carried forward into the fiscal year ending June 30, 1993,
31 there to be used for the same purpose.

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33 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
34 by this Act shall be limited to the appropriation for such agency and funds
35 made available by law for the support of such appropriations; and the

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

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

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17 SECTION 7. CODE. All provisions of this Act of a general and permanent
18 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
19 Code Revision Commission shall incorporate the same in the Code.

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21 SECTION 8. SEVERABILITY. If any provision of this Act or the
22 application thereof to any person or circumstance is held invalid, such
23 invalidity shall not affect other provisions or applications of the Act which
24 can be given effect without the invalid provision or application, and to this
25 end the provisions of this Act are declared to be severable.

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27 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
28 with this Act are hereby repealed.

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30 SECTION 10. HEALTH PREMIUMS. The Court of Appeals shall not, during
31 the 1992-93 fiscal year, spend more for health insurance per employee than the
32 amount being contributed to the State Employees Health Insurance Program.

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34 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
35 Seventy-Eighth General Assembly, that the Constitution of the State of

1 Arkansas prohibits the appropriation of funds for more than a two (2) year
2 period; that the effectiveness of this Act on January 1, 1992 is essential to
3 the operation of the agency for which the appropriations in this Act are
4 provided, and that in the event of an extension of the Regular Session, the
5 delay in the effective date of this Act beyond January 1, 1992 could work
6 irreparable harm upon the proper administration and provision of essential
7 governmental programs. Therefore, an emergency is hereby declared to exist and
8 this Act being necessary for the immediate preservation of the public peace,
9 health and safety shall be in full force and effect from and after January 1,
10 1992.

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/s/Russ

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