

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL 264

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 JUNE
11 30, 1995; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE JUDICIAL DISCIPLINE AND DISABILITY
15 COMMISSION APPROPRIATION."

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

19 SECTION 1. REGULAR SALARIES. There is hereby established for the
20 Judicial Discipline and Disability Commission for the 1993-95 biennium, the
21 following maximum number of regular employees whose salaries shall be governed
22 by the provisions of the Uniform Classification and Compensation Act (Arkansas
23 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
24 Provided, however, that any position to which a specific maximum annual salary
25 is set out herein in dollars, shall be exempt from the provisions of said
26 Uniform Classification and Compensation Act. All persons occupying positions
27 authorized herein are hereby governed by the provisions of the Regular
28 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
29 successor.

| | | | Maximum Annual | | |
|-------|-------|----------|----------------|--------------|-----------|
| | | | Maximum | Salary Rate | |
| Item | Class | | No. of | Fiscal Years | |
| <hr/> | | | <hr/> | | |
| No. | Code | Title | Employees | 1993-94 | 1994-95 |
| 35 | (01) | DIRECTOR | 1 | \$ 55,744 | \$ 57,695 |

| | | | | | |
|---|------|--------------------------|----------|-----------|-----------|
| 1 | (02) | INVESTIGATOR | 1 | \$ 35,129 | \$ 36,359 |
| 2 | (03) | OFFICE MANAGER | <u>1</u> | \$ 21,679 | \$ 22,438 |
| 3 | | MAXIMUM NO. OF EMPLOYEES | 3 | | |

4

5 SECTION 2. EXTRA HELP. There is hereby authorized, for the Judicial
6 Discipline and Disability Commission for the 1993-95 biennium, the following
7 maximum number of part-time or temporary employees, to be known as "Extra
8 Help", payable from funds appropriated herein for such purposes: Two (2)
9 temporary or part-time employees, when needed, at rates of pay not to exceed
10 those provided in the Uniform Classification and Compensation Act, or its
11 successor, or this act for the appropriate classification.

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13 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the
14 Judicial Discipline and Disability Commission, to be payable from the State
15 Central Services Fund, for personal services and operating expenses of the
16 Judicial Discipline and Disability Commission for the biennial period ending
17 June 30, 1995, the following:

| 19 | <u>ITEM</u> | | <u>FISCAL YEARS</u> | |
|----|-------------|----------------------------------|---------------------|-------------------|
| 20 | NO. | | 1993-94 | 1994-95 |
| 21 | (01) | REGULAR SALARIES | \$ 112,552 | \$ 116,492 |
| 22 | (02) | EXTRA HELP | 16,000 | 16,000 |
| 23 | (03) | PERSONAL SERVICES MATCHING | 26,100 | 26,792 |
| 24 | (04) | MAINTENANCE & GENERAL OPERATIONS | | |
| 25 | (A) | OPER. EXPENSES \$ 46,120 | \$ 42,420 | |
| 26 | (B) | CONF. & TRAVEL 8,000 | 8,000 | |
| 27 | (C) | PROF. FEES 47,000 | 47,000 | |
| 28 | (D) | CAPITAL OUTLAY 13,600 | 6,100 | |
| 29 | (E) | DATA PROCESSING <u>0</u> | <u>0</u> | |
| 30 | | TOTAL MAINT. & GEN. OPERATIONS | 114,720 | 103,520 |
| 31 | (05) | MILEAGE - INVESTIGATOR | <u>4,600</u> | <u>4,600</u> |
| 32 | | TOTAL AMOUNT APPROPRIATED | <u>\$ 273,972</u> | <u>\$ 267,404</u> |

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34 SECTION 4. No more than \$40,000 of the funds appropriated for
35 Professional Fees and Services may be expended in any one fiscal year for

1 contractual services of an attorney to represent the Commission when reviewing
2 cases of judicial misconduct. Provided further, none of these funds shall be
3 spent for contractual services of an attorney until it has been determined by
4 the Attorney General these services cannot be provided by his office.

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6 SECTION 5. *Effective July 1, 1994, the Director of the Judicial*
7 *Discipline and Disability Commission shall be an attorney licensed to practice*
8 *in the State of Arkansas.*

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

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

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

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33 SECTION 9. SEVERABILITY. If any provision of this Act or the application
34 thereof to any person or circumstance is held invalid, such invalidity shall
35 not affect other provisions or applications of the Act which can be given

1 effect without the invalid provision or application, and to this end the
2 provisions of this Act are declared to be severable.

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4 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict
5 with this Act are hereby repealed.

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7 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
8 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
9 prohibits the appropriation of funds for more than a two (2) year period; that
10 the effectiveness of this Act on July 1, 1993 is essential to the operation of
11 the agency for which the appropriations in this Act are provided, and that in
12 the event of an extension of the Regular Session, the delay in the effective
13 date of this Act beyond July 1, 1993 could work irreparable harm upon the
14 proper administration and provision of essential governmental programs.
15 Therefore, an emergency is hereby declared to exist and this Act being
16 necessary for the immediate preservation of the public peace, health and
17 safety shall be in full force and effect from and after July 1, 1993.

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/s/ Senator Russ

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As Engrossed: 3/10/93

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