

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Joint Budget Committee**

# A Bill

**ACT 1187 OF 1995**  
**HOUSE BILL 1319**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE ARKANSAS COURT OF APPEALS FOR  
10 THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER  
11 PURPOSES."

## Subtitle

14 "AN ACT FOR THE ARKANSAS COURT OF  
15 APPEALS APPROPRIATION FOR THE 1995-97  
16 BIENNIUM."

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

20 SECTION 1. REGULAR SALARIES. There is hereby established for the Court  
21 of Appeals for the 1995-97 biennium, the following maximum number of regular  
22 employees, the grades to be assigned to the respective positions, and the  
23 maximum annual salaries for each such position. The maximum annual salary for  
24 the position assigned to grades shall be determined in accordance with, but  
25 shall not exceed the maximum annual amount, for the grade assigned herein, as  
26 established in Arkansas Code §21-5-209. The maximum annual salary of the  
27 Chief Staff Attorney of said agency shall not exceed the maximum set forth  
28 herein. Except for the purpose of determining the maximum annual salary rate,  
29 which is to be applicable to each of the positions to which a salary grade is  
30 assigned hereinafter, in accordance with all provisions of Arkansas Code §21-  
31 5-209, all positions set forth herein shall be exempt from other provisions of  
32 the Uniform Classification and Compensation Act, but shall not be exempt from  
33 the provisions of the Regular Salaries Procedures and Restrictions Act, or its  
34 successor.

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	Maximum Annual
Maximum	Salary Rate

1	Item Class	No. of	Fiscal Years	
2	<del>No. Code Title</del>	<del>Employees</del>	<del>1995-96</del>	<del>1996-97</del>
3	(1) CHIEF STAFF ATTORNEY	1	\$ 64,596	\$ 66,211
4	(2) CHIEF DEPUTY CLERK	1	GRADE 24	
5	STAFF ATTORNEY	3		
6	(3) LAW CLERK	24	GRADE 21	
7	(4) ADMINISTRATIVE ASSISTANT	2	GRADE 19	
8	(5) DEPUTY CLERK II	5	GRADE 14	
9	(6) SECRETARY	<u>14</u>	GRADE 13	
10	MAX NO. OF EMPLOYEES	50		

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12 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas  
13 Court of Appeals for the 1995-97 biennium, the following maximum number of  
14 part-time or temporary employees, to be known as "Extra Help", payable from  
15 funds appropriated herein for such purposes: Seven (7) temporary or part-time  
16 employees, when needed, at rates of pay not to exceed those provided in the  
17 Uniform Classification and Compensation Act, or its successor, or this act for  
18 the appropriate classification.

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20 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the  
21 Arkansas Court of Appeals, to be payable from the State Central Services Fund,  
22 for personal services and operating expenses of the Arkansas Court of Appeals  
23 for the biennial period ending June 30, 1997, the following:

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25	ITEM	FISCAL YEARS	
26	<del>NO.</del>	<del>1995-96</del>	<del>1996-97</del>
27	(01) REGULAR SALARIES	\$ 1,726,392	\$ 1,760,898
28	(02) EXTRA HELP	25,000	25,000
29	(03) PERSONAL SERVICES MATCHING	466,126	475,440
30	(04) MAINT. & GEN. OPERATION		
31	(A) OPER. EXPENSES	\$ 154,241	\$ 147,272
32	(B) CONF. & TRAVEL	44,000	44,000
33	(C) PROF. FEES	0	0
34	(D) CAPITAL OUTLAY	290,123	45,500
35	(E) DATA PROCESSING	<u>0</u>	<u>0</u>

1	TOTAL MAINT. & GEN. OPER.	\$ 488,364	\$ 236,772
2	(05) SPECIAL JUDGES	42,025	42,025
3	(06) COURT APPOINTED ATTORNEYS	<u>90,000</u>	<u>90,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,837,907</u>	<u>\$ 2,630,135</u>

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6       SECTION 4. The Arkansas Court of Appeals may not utilize the following  
7 positions and associated support costs which are authorized in Sections 1 and  
8 3 of this act until the six additional judges authorized by Act 1085 of 1993  
9 take office:

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11	<u>NO. OF POS.</u>	<u>TITLE</u>	<u>GRADE</u>
12	12	LAW CLERK	21
13	2	DEPUTY CLERK II	14
14	<u>7</u>	SECRETARY	13
15	21	TOTAL NUMBER OF POSITIONS	

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17       SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
18 authorized by this Act shall be limited to the appropriation for such agency  
19 and funds made available by law for the support of such appropriations; and  
20 the restrictions of the State Purchasing Law, the General Accounting and  
21 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
22 Procedures and Restrictions Act, or their successors, and other fiscal control  
23 laws of this State, where applicable, and regulations promulgated by the  
24 Department of Finance and Administration, as authorized by law, shall be  
25 strictly complied with in disbursement of said funds.

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

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

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

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

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14 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
15 Eightieth General Assembly, that the Constitution of the State of Arkansas  
16 prohibits the appropriation of funds for more than a two (2) year period; that  
17 the effectiveness of this Act on July 1, 1995 is essential to the operation of  
18 the agency for which the appropriations in this Act are provided, and that in  
19 the event of an extension of the Regular Session, the delay in the effective  
20 date of this Act beyond July 1, 1995 could work irreparable harm upon the  
21 proper administration and provision of essential governmental programs.  
22 Therefore, an emergency is hereby declared to exist and this Act being  
23 necessary for the immediate preservation of the public peace, health and  
24 safety shall be in full force and effect from and after July 1, 1995.

25 */s/Rep. E. Thicksten*

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27 APPROVED: 4-11-95

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