

As Engrossed: 3/23/95 4/4/95

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

A Bill

ACT 1227 OF 1995
SENATE BILL 635

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR THE COSTS OF THE
9 STATE JUDICIAL SYSTEM FOR THE AUDITOR OF STATE AND THE
10 DEPARTMENT OF FINANCE AND ADMINISTRATION - MANAGEMENT
11 SERVICES DIVISION FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 1997; AND FOR OTHER PURPOSES."

Subtitle

15 "AN ACT FOR THE AUDITOR OF STATE AND THE
16 DEPARTMENT OF FINANCE AND ADMINISTRATION
17 - MANAGEMENT SERVICES DIVISION
18 APPROPRIATION FOR THE 1995-97 BIENNIUM."

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

22 SECTION 1. REGULAR SALARIES - TRIAL COURT ADMINISTRATIVE ASSISTANTS.
23 *There is hereby established for the Auditor of State - Trial Court*
24 *Administrative Assistants for the 1995-97 biennium, the following maximum*
25 *number of regular employees whose salaries shall be governed by the provisions*
26 *of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201*
27 *et seq.), or its successor, and all laws amendatory thereto. Provided,*
28 *however, that any position to which a specific maximum annual salary is set*
29 *out herein in dollars, shall be exempt from the provisions of said Uniform*
30 *Classification and Compensation Act. All persons occupying positions*
31 *authorized herein are hereby governed by the provisions of the Regular*
32 *Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its*
33 *successor.*

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Maximum Annual
Maximum Salary Rate

1	Item	Class	No. of	Fiscal Years		
2	No.	Code	Title	Employees	1995-96	1996-97
3	(1)		TRIAL COURT ADMIN ASSISTANT	<u>106</u>		GRADE 16
4			MAX NO. OF EMPLOYEES	106		

6 SECTION 2. APPROPRIATIONS - TRIAL COURT ADMINISTRATIVE ASSISTANTS.

7 There is hereby appropriated, to the Auditor of State, to be payable from the
8 State Administration of Justice Fund, for defraying the costs of the state
9 judicial system for the biennial period ending June 30, 1997, the following:

11	ITEM		FISCAL YEARS	
12	NO.		1995-96	1996-97
13	(01) REGULAR SALARIES	\$	0	\$ 2,650,000
14	(02) PERSONAL SERVICES MATCHING		<u>0</u>	<u>636,000</u>
15	TOTAL AMOUNT APPROPRIATED	\$	<u>0</u>	<u>\$ 3,286,000</u>

17 SECTION 3. REGULAR SALARIES - ADMINISTRATION OF JUSTICE FUNDS SECTION.

18 There is hereby established for the Department of Finance and Administration -
19 Management Services Division - Administration of Justice Funds Section, the
20 following maximum number of regular employees which shall be supplemental and
21 in addition to those positions authorized in Section 1 of Act 131 of 1995 and
22 whose salaries shall be governed by the provisions of the Uniform Classi-
23 fication and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its
24 successor, and all laws amendatory thereto. Provided, however, that any
25 position to which a specific maximum annual salary is set out herein in
26 dollars, shall be exempt from the provisions of said Uniform Classification
27 and Compensation Act. All persons occupying positions authorized herein are
28 hereby governed by the provisions of the Regular Salaries Procedures and
29 Restrictions Act (Arkansas Code §21-5-101), or its successor.

31			Maximum	Annual		
31			Maximum	Salary Rate		
32	Item	Class	No. of	Fiscal Years		
33	No.	Code	Title	Employees	1995-96	1996-97
34	(1)	R266	MANAGEMENT PROJECT ANALYST II	<u>1</u>		GRADE 20
35			MAX NO. OF EMPLOYEES	1		

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2 SECTION 4. APPROPRIATIONS - ADMINISTRATION OF JUSTICE FUNDS SECTION.

3 There is hereby appropriated to the Department of Finance and Administration,
4 - Management Services Division - Administration of Justice Funds Section, to
5 be payable from the State Central Services Fund for personal services and
6 operating expenses of the Department of Finance and Administration -
7 Management Services Division - Administration of Justice Funds Section which
8 shall be supplemental and in addition to those funds appropriated in Section 3
9 of Act 131 of 1995, for the biennial period ending June 30, 1997, the
10 following:

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ITEM	FISCAL YEARS	
NO.	1995-96	1996-97
(01)REGULAR SALARIES	\$ 22,238	\$ 22,860
(02)PERSONAL SERVICES MATCHING	5,955	6,076
(03)MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE \$ 14,200	\$ 14,200	
(B) CONF. & TRVL 0	0	
(C) PROF. FEES 0	0	
(D) CAP. OUTLAY 4,500	0	
(E) DATA PROC. 0	0	
TOTAL MAINT. & GEN. OPER.	<u>18,700</u>	<u>14,200</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 46,893</u>	<u>\$ 43,136</u>

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25 SECTION 5. APPROPRIATIONS. There is hereby appropriated to the
26 Department of Finance and Administration - Disbursing Officer, to be payable
27 from the State Administration of Justice Fund, for distribution to state
28 programs and agencies and reimbursements/refunds to cities or counties of
29 court costs and filing fees remitted by the cities and counties by the
30 Department of Finance and Administration - Disbursing Officer, for the
31 biennial period ending June 30, 1997, the following:

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ITEM	FISCAL YEARS	
NO.	1995-96	1996-97
(01)DISTRIBUTION TO STATE PROGRAMS &		

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1	AGENCIES	\$ 10,263,178	\$ 13,178,840
2	(02) REIMBURSEMENTS/REFUNDS TO		
3	CITIES OR COUNTIES	<u>5,000,000</u>	<u>5,000,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 15,263,178</u>	<u>\$ 18,178,840</u>

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6 SECTION 6. The Department of Finance and Administration may transfer
7 funds, from time to time, from the State Administration of Justice Fund to the
8 State Central Services Fund in such amounts as may be required to reimburse
9 the State Central Services Fund for expenses of the Department of Finance and
10 Administration - Administration of Justice Funds Section.

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12 SECTION 7. ALLOCATION RESTRICTIONS. There is hereby allocated to state
13 programs and agencies, as set out herein, the following maximum allocations of
14 funds appropriated in Item (01) of Section 5, to the Department of Finance and
15 Administration - Disbursing Officer, there to be used as provided by law.

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17		Maximum Allocation	
18	Item	Fiscal Years	
19	No. State Program/Agency	1995-96	1996-97

20 (1) Board of Trustees of the University
21 of Arkansas for the purpose and as
22 regulated by Arkansas Code Annotated
23 § 6-64-604 - 606 \$ 2,565,979 \$2,565,979

24 (2) Public Health Fund for use in the Drug
25 Abuse Prevention and Treatment program
26 of the Division of Alcohol and Drug
27 Abuse Prevention 75,000 75,000

28 (3) Highway Safety Special Fund for
29 programs of the Arkansas Highway
30 Safety Program 994,117 994,117

31 (4) Department of Arkansas State Police
32 for the State Police Retirement Fund 1,169,971 1,169,971

33 (5) Crime Victims/Reparations Revolving
34 Fund for the purpose and as regulated
35 by Arkansas Code Annotated § 16-90-701

1 et seq.	1,669,971	1,669,971
2 (6)Prosecutor Coordinator's office for		
3 deposit in the Law Enforcement and		
4 Prosecutor Drug Enforcement Training Fund	59,012	59,012
5 (7)Code Revision Fund for the purpose and as		
6 regulated by Arkansas Code Annotated		
7 § 1-2-305	137,656	137,656
8 (8)Crime Information System Fund	49,489	49,489
9 (9)Municipal Court Judge and the Municipal		
10 Court Clerk Education Fund	19,569	19,569
11 (10)Arkansas Judicial Retirement System Fund	836,361	836,361
12 (11)State Central Services Fund for the		
13 benefit of the Public Defender Commission	505,611	505,611
14 (12)Court Reporter Fund	1,610,104	1,610,104
15 (13)Justice Building Fund	200,000	200,000
16 (14)Until June 30, 1996, the Arkansas		
17 Counties Alcohol and Drug Abuse and		
18 Crime Prevention Fund	370,338	0
19 (15)Effective July 1, 1996, the Administration		
20 of Justice Fund to fund the trial court		
21 staff persons as authorized by law	<u>0</u>	<u>3,286,000</u>
22 TOTAL AMOUNT ALLOCATED	<u>\$10,263,178</u>	<u>\$13,178,840</u>

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24 SECTION 8. In the event that the Legislative Joint Auditing
25 Committee determines that any allocation amount specified in Section 7
26 herein, is greater than the actual receipts from court costs and filing fees
27 for Fiscal Year 1994-95 for a state program or agency, then each state program
28 or agency is responsible for remitting back to the Department of Finance and
29 Administration - Disbursing Officer by fund transfer the amount their alloca-
30 tion exceeded actual receipts. The fund transfer from each state program or
31 agency shall be deposited into the State Administration of Justice Fund. In
32 the event the state program or agency does not have sufficient funds to remit
33 back to the Department of Finance and Administration - Disbursing Officer, the
34 Department of Finance and Administration - Disbursing Officer shall withhold
35 from subsequent monthly allocations under this act, in equal installments,

1 amounts sufficient to recover the total amount overpaid to the state program
2 or agency. If the allocation provided to a state program or agency is less
3 than the actual receipts from court costs and filing fees for Fiscal Year
4 1994-95, then the Department of Finance and Administration - Disbursing
5 Officer shall provide the difference in equal monthly installments with the
6 state program's or agency's monthly allocation by fund transfer.

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

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

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27 SECTION 11. CODE. All provisions of this Act of a general and
28 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
29 Arkansas Code Revision Commission shall incorporate the same in the Code.

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31 SECTION 12. SEVERABILITY. If any provision of this Act or the
32 application thereof to any person or circumstance is held invalid, such
33 invalidity shall not affect other provisions or applications of the Act which
34 can be given effect without the invalid provision or application, and to this
35 end the provisions of this Act are declared to be severable.

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SECTION 13. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by the Eightieth 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, 1995 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, 1995 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, 1995.

/s/Russ

APPROVED: 4-12-95

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