

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

# A Bill

**Act 1193 of 2001**  
**HOUSE BILL 1653**

5 By: Joint Budget Committee  
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## **For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES OF THE SPECIAL DEPUTY  
11 PROSECUTING ATTORNEY FOR THE ELEVENTH JUDICIAL  
12 DISTRICT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003;  
13 AND FOR OTHER PURPOSES.  
14

## **Subtitle**

15 AN ACT FOR THE AUDITOR OF STATE -  
16 SPECIAL DEPUTY PROSECUTING ATTORNEY  
17 ELEVENTH JUDICIAL DISTRICT APPROPRIATION  
18 FOR THE 2001-2003 BIENNIUM.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for  
26 the Eleventh Judicial District for the 2001-2003 biennium, the following  
27 maximum number of regular employees whose salaries shall be governed by the  
28 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
29 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
30 Provided, however, that any position to which a specific maximum annual salary  
31 is set out herein in dollars, shall be exempt from the provisions of said  
32 Uniform Classification and Compensation Act. All persons occupying positions  
33 authorized herein are hereby governed by the provisions of the Regular  
34 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
35 successor.  
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Item	Class	Maximum No. of Employees	Maximum Salary Rate	Fiscal Years
No.	Code Title			2001-2002 2002-2003
(1)	SPECIAL DEPUTY PROSECUTING ATTORNEY	1	\$66,884	\$68,623
	MAX. NO. OF EMPLOYEES	1		

SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Auditor of State, to be payable from the Constitutional Officers Fund, for personal services and operating expenses of the Special Deputy Prosecuting Attorney of the Eleventh Judicial District for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 66,884	\$ 68,623
(02) PERSONAL SERV MATCHING	14,854	15,164
(03) EXPENSE ALLOWANCE	4,800	4,800
TOTAL AMOUNT APPROPRIATED	\$ 86,538	\$ 88,587

SECTION 3. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause a fund balance to decline to less than fifty percent (50%) of the balance available on July 1, 2001, the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.

1 3) the extent to which any of the planned expenditures are for one-time costs  
 2 or one-time purchase of capitalized items.

3 4) a statement certifying that the expenditure of fund balances will not  
 4 jeopardize the financial health of the agency, nor result in a permanent  
 5 depletion of the fund balance.

6 (B) The Chief Fiscal Officer of the State shall review the request and  
 7 approve or disapprove all or any part of the request , after having sought  
 8 prior review by the Legislative Council.

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 10 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
 11 this act shall be limited to the appropriation for such agency and funds made  
 12 available by law for the support of such appropriations; and the restrictions  
 13 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
 14 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
 15 Restrictions Act, or their successors, and other fiscal control laws of this  
 16 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 5. 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 6. EMERGENCY CLAUSE. It is found and determined by the General  
 30 Assembly, that the Constitution of the State of Arkansas prohibits the  
 31 appropriation of funds for more than a two (2) year period; that the  
 32 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
 33 agency for which the appropriations in this Act are provided, and that in the  
 34 event of an extension of the Regular Session, the delay in the effective date  
 35 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
 36 administration and provision of essential governmental programs. Therefore, an

1 emergency is hereby declared to exist and this Act being necessary for the  
2 immediate preservation of the public peace, health and safety shall be in full  
3 force and effect from and after July 1, 2001.

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6 APPROVED: 3/29/2001  
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