

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

As Engrossed: S3/29/01 S4/5/01

A Bill

Act 1532 of 2001
SENATE BILL 697

5 *By: Joint Budget Committee*
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE ADMINISTRATIVE OFFICE
11 OF THE COURTS, DIVISION OF DEPENDENCY-NEGLECT
12 REPRESENTATION FOR ATTORNEYS AD LITEM AND ATTORNEYS
13 FOR INDIGENT PARENTS FOR THE BIENNIAL PERIOD ENDING
14 JUNE 30, 2003; AND FOR OTHER PURPOSES.
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Subtitle

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18 AN ACT FOR THE ADMINISTRATIVE OFFICE
19 OF THE COURTS - DEPENDENCY-NEGLECT
20 REPRESENTATION DIVISION APPROPRIATION
21 FOR THE 2001-2003 BIENNIUM.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. REGULAR SALARIES. There is hereby established for the
27 Administrative Office of the Courts - Division of Dependency Neglect
28 Representation for the 2001-2003 biennium, the following maximum number of
29 regular employees whose salaries shall be governed by the provisions of the
30 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
31 seq.), or its successor, and all laws amendatory thereto. Provided, however,
32 that any position to which a specific maximum annual salary is set out herein
33 in dollars, shall be exempt from the provisions of said Uniform
34 Classification and Compensation Act. All persons occupying positions
35 authorized herein are hereby governed by the provisions of the Regular
36 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its

1 successor.

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10 SECTION 2. APPROPRIATION. There is hereby appropriated, to the
 11 Administrative Office of the Courts, to be transferred from the State
 12 Administration of Justice Fund, and to be payable from the State Central
 13 Services Fund, for personal services and operating expenses of the
 14 Administrative Office of the Courts - Division of Dependency-Neglect
 15 Representation for the biennial period ending June 30, 2003, the following:

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17 ITEM

FISCAL YEARS

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NO.		2001-2002	2002-2003
(01)	REGULAR SALARIES	\$ 25,000	\$ 25,650
(02)	PERSONAL SERV MATCHING	6,250	6,413
(03)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSE	0	0
	(B) CONF. & TRAVEL	0	0
	(C) PROF. FEES	287,900	125,447
	(D) CAP. OUTLAY	0	0
	(E) DATA PROC.	0	0
(04)	PARENT COUNSEL REIMBURSEMENT	<u>1,360,000</u>	<u>1,360,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,679,150</u>	<u>\$ 1,517,510</u>

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SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MONTHLY
 INSTALLMENT. From July 1, 2001 through June 20, 2003, a lump sum monthly
 installment of at least one-twelfth (1/12) of the annual appropriation
 provided for in Section 2 of this Act, or so much thereof as may be made
 available, shall be provided from the State Administration of Justice Fund to
 the State Central Services Fund to provide funds for that appropriation. The

1 provisions of this section shall be in effect only from July 1, 2001 through
2 June 30, 2003.

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4 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
6 TRANSFER. From July 1, 2001 through June 20, 2003, a lump sum monthly
7 installment of at least one-twelfth (1/12) of the annual appropriation
8 provided for in Section 9 (Item No. 6 labeled "Contingency") in House Bill
9 1540, or so much thereof as may be made available, shall be provided from the
10 State Administration of Justice Fund to the State Central Services Fund to
11 provide funds for that appropriation. The total appropriation equals one
12 million, one hundred thirty-seven thousand, seven hundred eighty-four dollars
13 (\$1,137,784) for Fiscal Year 2001-2002 and one million, two hundred ninety-
14 nine thousand, four hundred twenty-nine dollars (\$1,299,429) for Fiscal Year
15 2002-2003. The provisions of this section shall be in effect only from July
16 1, 2001 through June 30, 2003.

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18 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
20 ADJUSTMENT. In the event that the fund balance in the Administration of
21 Justice Fund is inadequate to fund the monthly allocation to State Agencies,
22 the funds will be distributed as follows:
23 All monthly allocations to State Agencies will be funded in the percentage of
24 the total funds available in the Administration of Justice Fund; that is if
25 less than 100% of the total monthly allocation is available for distribution,
26 all monthly allocations to State Agencies will be funded at an equal
27 percentage consistent with the available funds. Any shortage from one month
28 will be adjusted in future months' payments as funds become available. The
29 provisions of this section shall be in effect only from July 1, 2001 through
30 June 30, 2003.

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32 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
34 FORWARD. Any unexpended balance of appropriation and funds authorized in
35 Section 2 of this Act on June 30, 2002 shall be carried forward and made
36 available for the same purpose for the fiscal year ending June 30, 2003. The

1 provisions of this section shall be in effect only from July 1, 2001 through
2 June 30, 2003.

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4 SECTION 7. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
5 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
6 appropriations as provided in this Act, the agency disbursing officer shall
7 monitor the level of fund balances in relation to expenditures on a monthly
8 basis. If any proposed expenditures would cause a fund balance to decline to
9 less than fifty percent (50%) of the balance available on July 1, 2001, the
10 disbursing officer shall immediately notify the executive head of the agency.
11 Prior to any obligations being made under these circumstances, the agency
12 head shall file written documentation with the Chief Fiscal Officer of the
13 State requesting approval of the expenditures. Such documentation shall
14 provide sufficient financial data to justify the expenditures and shall
15 include the following:

- 16 1) a plan that clearly indicates the specific fiscal impact of such
17 expenditures on the fund balance.
- 18 2) information clearly indicating and explaining what programs would be cut
19 or any other measures to be taken by the agency to restore the fund balance.
- 20 3) the extent to which any of the planned expenditures are for one-time costs
21 or one-time purchase of capitalized items.
- 22 4) a statement certifying that the expenditure of fund balances will not
23 jeopardize the financial health of the agency, nor result in a permanent
24 depletion of the fund balance.

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

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29 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
30 by this act shall be limited to the appropriation for such agency and funds
31 made available by law for the support of such appropriations; and the
32 restrictions of the State Purchasing Law, the General Accounting and
33 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
34 Procedures and Restrictions Act, or their successors, and other fiscal
35 control laws of this State, where applicable, and regulations promulgated by
36 the Department of Finance and Administration, as authorized by law, shall be

1 strictly complied with in disbursement of said funds.

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

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12 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General
13 Assembly, that the Constitution of the State of Arkansas prohibits the
14 appropriation of funds for more than a two (2) year period; that the
15 effectiveness of this Act on July 1, 2001 is essential to the operation of
16 the agency for which the appropriations in this Act are provided, and that in
17 the event of an extension of the Regular Session, the delay in the effective
18 date of this Act beyond July 1, 2001 could work irreparable harm upon the
19 proper administration and provision of essential governmental programs.
20 Therefore, an emergency is hereby declared to exist and this Act being
21 necessary for the immediate preservation of the public peace, health and
22 safety shall be in full force and effect from and after July 1, 2001.

23
24 /s/ Joint Budget Committee

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27 APPROVED: 4/12/2001
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