

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 245 of 2001
HOUSE BILL 1526

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 ARKANSAS COURT OF
11 APPEALS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003;
12 AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE ARKANSAS COURT OF APPEALS
16 - BIENNIAL OPERATIONS APPROPRIATION FOR
17 THE 2001-2003 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
24 the Arkansas Court of Appeals for the 2001-2003 biennium, the following
25 maximum number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual salary
29 is set out herein in dollars, shall be exempt from the provisions of said
30 Uniform 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

Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2001-2002	2002-2003
(1)	9126	CHIEF OF STAFF ATTORNEY	1	\$78,773	\$80,821
(2)	9127	CHIEF DEPUTY CLERK	1	GRADE 24	
(3)	9128	STAFF ATTORNEY	3	GRADE 24	
(4)	9129	LAW CLERK	24	GRADE 21	
(5)	9130	ADMINISTRATIVE ASSISTANT	2	GRADE 19	
(6)	9228	ASSISTANT RECORDS SUPERVISOR	2	GRADE 18	
(7)	9131	SECRETARY	13	GRADE 15	
(8)	9132	DEPUTY CLERK	<u>3</u>	GRADE 14	
		MAX. NO. OF EMPLOYEES	49		

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13 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 14 Arkansas Court of Appeals for the 2001-2003 biennium, the following maximum
 15 number of part-time or temporary employees, to be known as "Extra Help",
 16 payable from funds appropriated herein for such purposes: two (2) temporary
 17 or part-time employees, when needed, at rates of pay not to exceed those
 18 provided in the Uniform Classification and Compensation Act, or its successor,
 19 or this act for the appropriate classification.

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21 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the
 22 Arkansas Court of Appeals, to be payable from the State Central Services Fund,
 23 for personal services, operating expenses, special judges, court appointed
 24 attorneys, and other legal expenses of the Arkansas Court of Appeals for the
 25 biennial period ending June 30, 2003, the following:

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ITEM	FISCAL YEARS	
NO.	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 2,159,892	\$ 2,216,049
(02) EXTRA HELP	25,000	25,000
(03) PERSONAL SERV MATCHING	619,890	636,006
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	152,185	152,185
(B) CONF. & TRAVEL	68,900	68,900
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	45,500	45,500

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1	(E) DATA PROC.	0	0
2	(05) LEGAL COUNSEL	105,000	110,000
3	(06) SPECIAL JUDGES	<u>17,044</u>	<u>17,044</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,193,411</u>	<u>\$ 3,270,684</u>

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6 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
7 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SALARY PARITY.
8 Every effort be made to maintain salary parity between clerks of the Supreme
9 Court and clerks of the Court of Appeals as required by Arkansas Code 16-12-
10 108 (f) (1). The provisions of this section shall be in effect only from July
11 1, 2001 through June 30, 2003.

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13 SECTION 5. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
14 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
15 appropriations as provided in this Act, the agency disbursing officer shall
16 monitor the level of fund balances in relation to expenditures on a monthly
17 basis. If any proposed expenditures would cause a fund balance to decline to
18 less than fifty percent (50%) of the balance available on July 1, 2001, the
19 disbursing officer shall immediately notify the executive head of the agency.
20 Prior to any obligations being made under these circumstances, the agency
21 head shall file written documentation with the Chief Fiscal Officer of the
22 State requesting approval of the expenditures. Such documentation shall
23 provide sufficient financial data to justify the expenditures and shall
24 include the following:
25 1) a plan that clearly indicates the specific fiscal impact of such
26 expenditures on the fund balance.
27 2) information clearly indicating and explaining what programs would be cut or
28 any other measures to be taken by the agency to restore the fund balance.
29 3) the extent to which any of the planned expenditures are for one-time costs
30 or one-time purchase of capitalized items.
31 4) a statement certifying that the expenditure of fund balances will not
32 jeopardize the financial health of the agency, nor result in a permanent
33 depletion of the fund balance.
34 (B) The Chief Fiscal Officer of the State shall review the request and
35 approve or disapprove all or any part of the request, after having sought
36 prior review by the Legislative Council.

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

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

SECTION 8. EMERGENCY CLAUSE. It is found and determined by the 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, 2001 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, 2001 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, 2001.

APPROVED: 2/13/2001