

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 458 of 2001
HOUSE BILL 1768

5 By: Joint Budget Committee
6
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES,
10 SUBSTITUTE EXPENSES, AND EXPENSE ALLOWANCE OF THE
11 TRIAL COURT ADMINISTRATIVE ASSISTANTS OF THE CIRCUIT
12 COURTS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003;
13 AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE AUDITOR OF STATE - TRIAL
17 COURT ADMINISTRATIVE ASSISTANTS
18 APPROPRIATION FOR THE 2001-2003
19 BIENNIAL PERIOD.
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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. There is hereby established for the Trial
26 Court Administrative Assistants of the Circuit Courts for the 2001-2003
27 biennium, the following maximum number of regular employees whose salaries
28 shall be governed by the provisions of the Uniform Classification and
29 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
30 laws amendatory thereto. Provided, however, that any position to which a
31 specific maximum annual salary is set out herein in dollars, shall be exempt
32 from the provisions of said Uniform Classification and Compensation Act. All
33 persons occupying positions authorized herein are hereby governed by the
34 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
35 Code §21-5-101), or its successor.
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1			Maximum Annual
2			Salary Rate
3	Item Class	No. of	Fiscal Years
4	No. Code Title	Employees	2001-2002 2002-2003
5	(1) TRIAL COURT ADMIN ASSISTANT II	1	GRADE 17
6	(2) TRIAL COURT ADMIN ASSISTANT I	<u>113</u>	GRADE 16
7	MAX. NO. OF EMPLOYEES	114	

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 9 SECTION 2. APPROPRIATION. There is hereby appropriated, to the Auditor of
 10 State, to be payable from the State Administration of Justice Fund, for
 11 personal services, Trial Court Staff Substitutes expenses, and Trial Court
 12 Administrative Assistant expenses by the Trial Court Administrative Assistants
 13 of the Circuit Courts for the biennial period ending June 30, 2003, the
 14 following:

16	ITEM	FISCAL YEARS	
17	NO.	2001-2002	2002-2003
18	(01) REGULAR SALARIES	\$ 3,185,603	\$ 3,268,428
19	(02) PERSONAL SERV MATCHING	904,217	918,942
20	(03) TRIAL COURT STAFF SUBSTITUTES	125,000	125,000
21	(04) TRIAL COURT ASSSISTANT EXPENSES	<u>225,000</u>	<u>225,000</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,439,820</u>	<u>\$ 4,537,370</u>

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 24 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 25 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRIAL COURT
 26 STAFF - ENTRY LEVEL SALARY. The entry level salary of a trial court staff
 27 person shall be equal to that established in the state pay plan at grade 16.
 28 No trial court staff person authorized by this Act shall receive a salary from
 29 the state in excess of twenty-five thousand dollars (\$25,000); provided,
 30 however, that beginning July 1, 1997, those persons who have reached the
 31 maximum salary limit may receive such increases in salary as are available for
 32 other State employees in positions which have its salary established by the
 33 provisions of Arkansas Code 21-5-201 et seq. ("Uniform Classification and
 34 Compensation Act"). A county or counties shall be authorized to supplement
 35 the base salary of any trial court staff person, when approved by the quorum
 36 court. The provisions of this section shall be in effect only from July 1,

1 2001 through June 30, 2003.

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

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

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

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28 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
29 this act shall be limited to the appropriation for such agency and funds made
30 available by law for the support of such appropriations; and the restrictions
31 of the State Purchasing Law, the General Accounting and Budgetary Procedures
32 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
33 Restrictions Act, or their successors, and other fiscal control laws of this
34 State, where applicable, and regulations promulgated by the Department of
35 Finance and Administration, as authorized by law, shall be strictly complied
36 with in disbursement of said funds.

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SECTION 6. 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 7. 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: 2/27/2001