

Stricken language will be deleted and underlined language will be added.
Act 1026 of the Regular Session

1 State of Arkansas *As Engrossed: S3/4/13, S4/5/13*

2 89th General Assembly

A Bill

3 Regular Session, 2013

SENATE BILL 100

4

5 By: Joint Budget Committee

6

7

For An Act To Be Entitled

8

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES

9

AND OPERATING EXPENSES FOR THE ARKANSAS SUPREME COURT

10

FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR

11

OTHER PURPOSES.

12

13

14

Subtitle

15

AN ACT FOR THE ARKANSAS SUPREME COURT

16

APPROPRIATION FOR THE 2013-2014 FISCAL

17

YEAR.

18

19

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

21

22

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
23 for the Arkansas Supreme Court for the 2013-2014 fiscal year, the following
24 maximum number of regular employees.

25

26

Maximum Annual

27

Maximum

Salary Rate

28

Item Class

No. of

Fiscal Year

29

No. Code Title

Employees

2013-2014

30

(1) Q009N SUPREME COURT CLERK

1

GRADE N912

31

(2) Q011C CRIMINAL COORDINATOR

1

GRADE C129

32

(3) Q010C LIBRARY DIRECTOR

1

GRADE C129

33

(4) Q012C SUPREME COURT REPORTER

1

GRADE C129

34

(5) Q021C APPELLATE REVIEW ATTORNEY

2

GRADE C128

35

(6) Q036C CHIEF DEPUTY CLERK

1

GRADE C126

36

(7) Q083C COMMUNICATIONS COUNSEL

1

GRADE C126



1	(8)	Q061X	DEPUTY CRIMINAL COORDINATOR	1	GRADE C126
2	(9)	Q035C	SUPREME COURT LAW CLERK	14	GRADE C126
3	(10)	Q037C	ASSISTANT CRIMINAL COORDINATOR	2	GRADE C125
4	(11)	Q038C	DEPUTY REPORTER	1	GRADE C125
5	(12)	Q051C	NETWORK ADMINISTRATOR	1	GRADE C124
6	(13)	Q072C	FISCAL OFFICER	1	GRADE C122
7	(14)	Q141C	TECHNICAL ONLINE PUBLISHER	1	GRADE C122
8	(15)	Q090C	EXECUTIVE ASSISTANT TO CLERK	1	GRADE C119
9	(16)	Q091C	JUDICIAL CHIEF ADMINISTRATIVE ASSIST	1	GRADE C119
10	(17)	Q107C	ASSISTANT CHIEF DEPUTY CLERK	1	GRADE C118
11	(18)	Q108C	FINANCIAL SPECIALIST	1	GRADE C118
12	(19)	Q192C	PUBLIC SERVICE LIBRARIAN	1	GRADE C118
13	(20)	Q109C	RECORDS SUPERVISOR	1	GRADE C118
14	(21)	Q106C	TECHNICAL SERVICES LIBRARIAN	1	GRADE C118
15	(22)	Q116C	JUDICIAL ADMINISTRATIVE ASSISTANT	6	GRADE C117
16	(23)	Q115C	SUPREME COURT POLICE CHIEF	1	GRADE C117
17	(24)	Q123C	ADMINISTRATIVE ASSISTANT	1	GRADE C115
18	(25)	Q122C	EDITORIAL ASSISTANT	1	GRADE C115
19	(26)	Q124C	LIBRARY TECHNICAL ASSISTANT	1	GRADE C115
20	(27)	Q125C	SUPREME COURT POLICE OFFICER	<u>2</u>	GRADE C115
21			MAX. NO. OF EMPLOYEES	48	

22

23 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 24 the Arkansas Supreme Court for the 2013-2014 fiscal year, the following
 25 maximum number of part-time or temporary employees, to be known as "Extra
 26 Help", payable from funds appropriated herein for such purposes: five (5)
 27 temporary or part-time employees, when needed, at rates of pay not to exceed
 28 those provided in the Uniform Classification and Compensation Act, or its
 29 successor, or this act for the appropriate classification.

30

31 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 32 to the Arkansas Supreme Court, to be payable from the State Central Services
 33 Fund, for personal services and operating expenses of the Arkansas Supreme
 34 Court for the fiscal year ending June 30, 2014, the following:

35

36 ITEM

FISCAL YEAR

1	<u>NO.</u>	<u>2013-2014</u>
2	(01) REGULAR SALARIES	\$2,697,896
3	(02) EXTRA HELP	30,000
4	(03) PERSONAL SERVICES MATCHING	845,665
5	(04) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	323,089
7	(B) CONF. & TRAVEL	30,000
8	(C) PROF. FEES	25,000
9	(D) CAP. OUTLAY	112,000
10	(E) DATA PROC.	0
11	(05) ARKANSAS REPORTS	229,477
12	(06) COURT APPOINTED ATTORNEYS	195,000
13	(07) COMMISSIONS AND COMMITTEES	20,000
14	(08) SPECIAL JUSTICES	5,500
15	(09) JUDICIAL EDUCATION	<u>100,000</u>
16	TOTAL AMOUNT APPROPRIATED	<u><u>\$4,613,627</u></u>

17

18 SECTION 4. APPROPRIATION - APPELLATE MEDIATION - CASH. There is hereby
19 appropriated, to the Arkansas Supreme Court, to be payable from the cash fund
20 deposited in the State Treasury as determined by the Chief Fiscal Officer of
21 the State, for operating expenses of the Arkansas Supreme Court - Appellate
22 Mediation Pilot Program for the fiscal year ending June 30, 2014, the
23 following:

24

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2013-2014</u>
27	(01) MAINT. & GEN. OPERATION	
28	(A) OPER. EXPENSE	\$0
29	(B) CONF. & TRAVEL	0
30	(C) PROF. FEES	13,120
31	(D) CAP. OUTLAY	0
32	(E) DATA PROC.	<u>0</u>
33	TOTAL AMOUNT APPROPRIATED	<u><u>\$13,120</u></u>

34

35 SECTION 5. REGULAR SALARIES – SUPREME COURT BAR OF ARKANSAS. There is
36 hereby established for the Arkansas Supreme Court – Bar of Arkansas for the

2013-2014 fiscal year, the following maximum number of regular employees.

	<i>Item</i>	<i>No.</i>	<i>Title</i>	<i>Maximum No. of Employees</i>	<i>Maximum Annual Salary Rate Fiscal Year 2013-2014</i>
7	(1)		SUPREME COURT DIRECTOR OF OPC	1	GRADE N917
8	(2)		SUPREME COURT DIRECTOR OF OPP	1	GRADE N916
9	(3)		SUPREME COURT DEP DIRECTOR OF OPC	1	GRADE N906
10	(4)		SUPREME COURT SENIOR STAFF ATTY OPC	1	GRADE C128
11	(5)		SUPREME COURT DIRECTOR OF AJC	1	GRADE C128
12	(6)		SUPREME COURT DIRECTOR OF JLAP	1	GRADE C128
13	(7)		SUPREME COURT STAFF ATTORNEY OPC	1	GRADE C126
14	(8)		SUPREME COURT PROGRAM COORDINATOR OPP	2	GRADE C120
15	(9)		SUPREME COURT DEPUTY DIRECTOR JLAP	1	GRADE C120
16	(10)		SUPREME COURT INVESTIGATOR OPC	1	GRADE C119
17	(11)		SUPREME COURT FINANCIAL SPECIALIST	1	GRADE C118
18	(12)		SUPREME COURT DATABASE MANAGER	1	GRADE C118
19	(13)		SUPREME COURT PARALEGAL OPC	1	GRADE C118
20	(14)		SUPREME COURT ADMIN ASSISTANT OPC	2	GRADE C115
21	(15)		SUPREME COURT ADMIN ASSISTANT OPP	2	GRADE C115
22	(16)		SUPREME COURT ADMIN ASSISTANT AJC	<u>1</u>	GRADE C115
23			<i>MAX. NO. OF EMPLOYEES</i>	19	

SECTION 6. EXTRA HELP – SUPREME COURT BAR OF ARKANSAS. There is hereby authorized, for the Arkansas Supreme Court – Bar of Arkansas for the 2013-2014 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: five (5) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 7. APPROPRIATION – SUPREME COURT BAR OF ARKANSAS. There is hereby appropriated, to the Arkansas Supreme Court, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas Supreme Court, for

1 *personal services and operating expenses of the Arkansas Supreme Court - Bar*
 2 *of Arkansas for the fiscal year ending June 30, 2014, the following:*

3		
4	<i>ITEM</i>	<i>FISCAL YEAR</i>
5	<u><i>NO.</i></u>	<u><i>2013-2014</i></u>
6	<i>(01) REGULAR SALARIES</i>	<i>\$1,500,000</i>
7	<i>(02) EXTRA HELP</i>	<i>25,000</i>
8	<i>(03) PERSONAL SERVICES MATCHING</i>	<i>500,000</i>
9	<i>(04) MAINT. & GEN. OPERATION</i>	
10	<i>(A) OPER. EXPENSE</i>	<i>1,000,000</i>
11	<i>(B) CONF. & TRAVEL</i>	<i>100,000</i>
12	<i>(C) PROF. FEES</i>	<i>500,000</i>
13	<i>(D) CAP. OUTLAY</i>	<i>100,000</i>
14	<i>(E) DATA PROC.</i>	<i>0</i>
15	<i>(05) CAPITAL IMPROVEMENTS</i>	<i>100,000</i>
16	<i>(06) TRANSFERS, RETIREMENT, INVESTMENTS</i>	<u><i>2,250,000</i></u>
17	<i>TOTAL AMOUNT APPROPRIATED</i>	<u><u><i>\$6,075,000</i></u></u>

18
 19 *SECTION 8. Special Language. Arkansas Code Title 16, Chapter 11,*
 20 *Subchapter 1, is amended to add an additional section to read as follows:*
 21 *16-11-116. Regulation of the Practice of Law.*

22 *(a) Pursuant to Amendment 28 of the Arkansas Constitution the Arkansas*
 23 *Supreme Court is charged with the authority and responsibility to regulate*
 24 *the practice of law. As of July 1, 2013, those persons who are employed by*
 25 *the Supreme Court to carry out these responsibilities and who are paid from*
 26 *the Bar of Arkansas Account shall be considered employees of the State of*
 27 *Arkansas administered by the Arkansas Supreme Court.*

28 *(b) For all purposes involving annual leave, sick leave, and career*
 29 *service recognition as a state employee, years of service as an employee of*
 30 *the Supreme Court - Bar of Arkansas shall be recognized as eligible service*
 31 *as a state employee.*

32 *(c) Notwithstanding A.C.A. 19-4-801 or any other law to the contrary,*
 33 *employees shall be paid from cash funds of the Arkansas Supreme Court derived*
 34 *solely from revenues received from attorney license fees and any other fees,*
 35 *finer, interest income, or other revenues derived from the regulation of the*
 36 *practice of law that may be deposited into the Bar of Arkansas Account as*

1 determined by the Arkansas Supreme Court.

2 (d)(1)(A) On July 1, 2013, the Bar of Arkansas Employees Pension Plan
3 shall be abolished, and its power, duties, plan liabilities and assets shall
4 be transferred to and assumed by the Arkansas Public Employees Retirement
5 System, together with all accrued service credit due its members.

6 (B) All current members and beneficiaries of the Bar of Arkansas
7 Employees Pension Plan shall be members of the Arkansas Public Employees
8 Retirement System and covered by that system's eligibility, retirement and
9 beneficiary provisions, except that those employees who were members of the
10 Bar of Arkansas Employee Pension Plan and who were eligible for the lump sum
11 distribution provisions of that plan as referenced in Section 9.2(h) of the
12 official plan document shall retain those rights as provided by the Bar of
13 Arkansas Employees Pension Plan.

14 (2) Employees of the Supreme Court – Bar of Arkansas who are hired
15 after July 1, 2013 shall be enrolled in the Arkansas Public Employees
16 Retirement System as a condition of employment as provided for in ACA 24-4-
17 301.

18
19 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
20 authorized by this act shall be limited to the appropriation for such agency
21 and funds made available by law for the support of such appropriations; and
22 the restrictions of the State Procurement Law, the General Accounting and
23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
24 Procedures and Restrictions Act, or their successors, and other fiscal
25 control laws of this State, where applicable, and regulations promulgated by
26 the Department of Finance and Administration, as authorized by law, shall be
27 strictly complied with in disbursement of said funds.

28
29 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General
30 Assembly that any funds disbursed under the authority of the appropriations
31 contained in this act shall be in compliance with the stated reasons for
32 which this act was adopted, as evidenced by the Agency Requests, Executive
33 Recommendations and Legislative Recommendations contained in the budget
34 manuals prepared by the Department of Finance and Administration, letters, or
35 summarized oral testimony in the official minutes of the Arkansas Legislative
36 Council or Joint Budget Committee which relate to its passage and adoption.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 11. 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 one (1) year period; that the effectiveness of this Act on July 1, 2013 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 legislative session, the delay in the effective date of this Act beyond July 1, 2013 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, 2013.

/s/Joint Budget Committee

APPROVED: 04/10/2013