

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995

# A Bill

HOUSE BILL 1319

4 By: Joint Budget Committee

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## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE ARKANSAS COURT OF APPEALS FOR  
10 THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER  
11 PURPOSES."

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## Subtitle

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

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SECTION 1. REGULAR SALARIES. There is hereby established for the Court of Appeals for the 1995-97 biennium, the following maximum number of regular employees, the grades to be assigned to the respective positions, and the maximum annual salaries for each such position. The maximum annual salary for the position assigned to grades shall be determined in accordance with, but shall not exceed the maximum annual amount, for the grade assigned herein, as established in Arkansas Code §21-5-209. The maximum annual salary of the Chief Staff Attorney of said agency shall not exceed the maximum set forth herein. Except for the purpose of determining the maximum annual salary rate, which is to be applicable to each of the positions to which a salary grade is assigned hereinafter, in accordance with all provisions of Arkansas Code §21-5-209, all positions set forth herein shall be exempt from other provisions of the Uniform Classification and Compensation Act, but shall not be exempt from the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Maximum Annual

			Maximum	Salary Rate	
<del>Item Class</del>			<del>No. of</del>	<del>Fiscal Years</del>	
No.	Code	Title	Employees	1995-96	1996-97
4	(1)	CHIEF STAFF ATTORNEY	1	\$ 64,596	\$
5	66,211				
6	(2)	CHIEF DEPUTY CLERK	1	GRADE 24	
7		STAFF ATTORNEY	3		
8	(3)	LAW CLERK	24	GRADE 21	
9	(4)	ADMINISTRATIVE ASSISTANT	2	GRADE 19	
10	(5)	DEPUTY CLERK II	5	GRADE 14	
11	(6)	SECRETARY	<u>14</u>	GRADE 13	
12	MAX NO. OF EMPLOYEES		50		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas Court of Appeals for the 1995-97 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: Seven (7) 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 3. APPROPRIATIONS. There is hereby appropriated, to the Arkansas Court of Appeals, to be payable from the State Central Services Fund, for personal services and operating expenses of the Arkansas Court of Appeals for the biennial period ending June 30, 1997, the following:

ITEM NO.	FISCAL YEARS			
	1995-96		1996-97	
(01)	REGULAR SALARIES	\$ 1,726,392	\$	1,760,898
(02)	EXTRA HELP	25,000		25,000
(03)	PERSONAL SERVICES MATCHING	466,126		475,440
(04)	MAINT. & GEN. OPERATION			
	(A) OPER. EXPENSES	\$ 154,241	\$	147,272
	(B) CONF. & TRAVEL	44,000		44,000
	(C) PROF. FEES	0		0

1	(D) CAPITAL OUTLAY	290,123	45,500		
2	(E) DATA PROCESSING	<u>0</u>	<u>0</u>		
3	TOTAL MAINT. & GEN. OPER.			\$ 488,364	\$ 236,772
4	(05) SPECIAL JUDGES			42,025	42,025
5	(06) COURT APPOINTED ATTORNEYS			<u>90,000</u>	<u>90,000</u>
6	TOTAL AMOUNT APPROPRIATED			<u>\$ 2,837,907</u>	<u>\$ 2,630,135</u>

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8        *SECTION 4. The Arkansas Court of Appeals may not utilize the following*  
9 *positions and associated support costs which are authorized in Sections 1 and*  
10 *3 of this act until the six additional judges authorized by Act 1085 of 1993*  
11 *take office:*

13	<u>NO. OF POS.</u>	<u>TITLE</u>	<u>GRADE</u>
14	12	LAW CLERK	21
15	2	DEPUTY CLERK II	14
16	<u>7</u>	SECRETARY	13
17	21	TOTAL NUMBER OF POSITIONS	

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19        *SECTION 5. 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 Purchasing 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.*

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29        *SECTION 6. 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*

1 Council or Joint Budget Committee which relate to its passage and adoption.

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3       SECTION 7. CODE. All provisions of this Act of a general and  
4 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
5 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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7       SECTION 8. SEVERABILITY. If any provision of this Act or the  
8 application thereof to any person or circumstance is held invalid, such  
9 invalidity shall not affect other provisions or applications of the Act which  
10 can be given effect without the invalid provision or application, and to this  
11 end the provisions of this Act are declared to be severable.

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13       SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict  
14 with this Act are hereby repealed.

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16       SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by  
17 the Eightieth General Assembly, that the Constitution of the State of  
18 Arkansas prohibits the appropriation of funds for more than a two (2) year  
19 period; that the effectiveness of this Act on July 1, 1995 is essential to  
20 the operation of the agency for which the appropriations in this Act are  
21 provided, and that in the event of an extension of the Regular Session, the  
22 delay in the effective date of this Act beyond July 1, 1995 could work  
23 irreparable harm upon the proper administration and provision of essential  
24 governmental programs. Therefore, an emergency is hereby declared to exist  
25 and this Act being necessary for the immediate preservation of the public  
26 peace, health and safety shall be in full force and effect from and after  
27 July 1, 1995.

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*/s/Rep. E. Thicksten*

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