

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Rep. M. Wilson

# A Bill

HOUSE BILL 1867

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR THE COSTS OF THE  
9 STATE JUDICIAL SYSTEM FOR THE AUDITOR OF STATE FOR THE  
10 BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER  
11 PURPOSES."

## Subtitle

14 "AN ACT FOR THE AUDITOR OF STATE  
15 APPROPRIATION FOR THE 1995-97 BIENNIUM."

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

19 SECTION 1. REGULAR SALARIES - TRIAL COURT ADMINISTRATIVE ASSISTANTS.  
20 There is hereby established for the Auditor of State - Trial Court  
21 Administrative Assistants for the 1995-97 biennium, the following maximum  
22 number of regular employees whose salaries shall be governed by the  
23 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
24 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
25 Provided, however, that any position to which a specific maximum annual  
26 salary is set out herein in dollars, shall be exempt from the provisions of  
27 said Uniform Classification and Compensation Act. All persons occupying  
28 positions authorized herein are hereby governed by the provisions of the  
29 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
30 or its successor.

| Item | Class          |  | Maximum   | Maximum Annual  |
|------|----------------|--|-----------|-----------------|
|      |                |  | No. of    | Salary Rate     |
|      |                |  | Employees | Fiscal Years    |
| 35   | No. Code Title |  |           | 1995-96 1996-97 |

1 (1) TRIAL COURT ADMIN ASSISTANTS 106 GRADE 19  
 2 MAX NO. OF EMPLOYEES 106

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4 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the  
 5 Auditor of State, to be payable from the State Administration of Justice  
 6 Fund, for defraying the costs of the state judicial system of the Auditor of  
 7 State for the biennial period ending June 30, 1997, the following:

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| 9 <u>ITEM</u> |                                       | <u>FISCAL YEARS</u> |             |
|---------------|---------------------------------------|---------------------|-------------|
| 10 NO.        |                                       | 1995-96             | 1996-97     |
| 11 (1)        | REGULAR SALARIES                      | \$ 0                | \$ 0        |
| 12 (2)        | PERSONAL SERVICES MATCHING            | 0                   | 0           |
| 13 (3)        | REIMBURSEMENT TO CITIES FOR COSTS     |                     |             |
| 14            | AND FEES FROM MUNICIPAL, CITY AND     |                     |             |
| 15            | POLICE COURTS                         | 0                   | 0           |
| 16 (4)        | REIMBURSEMENT TO COUNTIES FOR         |                     |             |
| 17            | COSTS AND FEES FROM CIRCUIT, CHANCERY |                     |             |
| 18            | AND PROBATE COURTS                    | <u>0</u>            | <u>0</u>    |
| 19            | TOTAL AMOUNT APPROPRIATED             | <u>\$ 0</u>         | <u>\$ 0</u> |

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21 SECTION 3. REGULAR SALARIES - ADMINISTRATION OF JUSTICE FUND SECTION.  
 22 There is hereby established for the Department of Finance and Administration  
 23 - Administration of Justice Fund Section for the 1995-97 biennium, the  
 24 following maximum number of regular employees whose salaries shall be  
 25 governed by the provisions of the Uniform Classification and Compensation Act  
 26 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory  
 27 thereto. Provided, however, that any position to which a specific maximum  
 28 annual salary is set out herein in dollars, shall be exempt from the  
 29 provisions of said Uniform Classification and Compensation Act. All persons  
 30 occupying positions authorized herein are hereby governed by the provisions  
 31 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-  
 32 101), or its successor.

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| Item | Class | Maximum | No. of | Maximum Annual | Salary Rate  |
|------|-------|---------|--------|----------------|--------------|
|      |       |         |        |                | Fiscal Years |

|   |         |                      |           |         |          |
|---|---------|----------------------|-----------|---------|----------|
| 1 | No.     | Title                | Employees | 1995-96 |          |
| 2 | 1996-97 |                      |           |         |          |
| 3 | (1)     |                      | <u>2</u>  |         | GRADE 20 |
| 4 |         | MAX NO. OF EMPLOYEES | 2         |         |          |

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6 SECTION 4. APPROPRIATIONS - ADMINISTRATION OF JUSTICE FUND SECTION.

7 There is hereby appropriated, to the Department of Finance and

8 Administration, to be payable from the State Administration of Justice Fund

9 for personal services of the Department of Finance and Administration -

10 Administration of Justice Fund Section for the biennial period ending June

11 ~~30, 1997, the following:~~

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| 13 | ITEM                            | FISCAL YEARS |             |
|----|---------------------------------|--------------|-------------|
| 14 | NO.                             | 1995-96      | 1996-97     |
| 15 | (01) REGULAR SALARIES           | \$ 0         | \$ 0        |
| 16 | (02) PERSONAL SERVICES MATCHING | <u>0</u>     | <u>0</u>    |
| 17 | TOTAL AMOUNT APPROPRIATED       | <u>\$ 0</u>  | <u>\$ 0</u> |

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19 SECTION 5. ALLOCATIONS. There is hereby allocated to the following

20 State-level agency funds, the following amounts, there to be used as provided

21 by law, for the biennial period ending June 30, 1997, the following:

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| 23 | MAXIMUM ALLOCATION |                                      |              |              |
|----|--------------------|--------------------------------------|--------------|--------------|
| 24 | ITEM               | FISCAL YEARS                         |              |              |
| 25 | NO.                | AGENCY                               | 1995-96      | 1996-97      |
| 26 | (1)                | UNIVERSITY OF ARK FUND               | \$ 0         | \$ 0         |
| 27 | (2)                | PUBLIC HEALTH FUND                   | 0            | 0            |
| 28 | (3)                | HIGHWAY SAFETY SPECIAL FUND          | 0            | 0            |
| 29 | (4)                | ARK STATE POLICE FOR STATE           |              |              |
| 30 |                    | POLICE RETIREMENT FUND               | 0            | 0            |
| 31 | (5)                | ATTORNEY GENERAL FOR CRIME VICTIMS   |              |              |
| 32 |                    | REPARATIONS REVOLVING FUND           | 0            | 0            |
| 33 | (6)                | PROSECUTOR COORDINATOR FOR LAW       |              |              |
| 34 |                    | ENFORCEMENT & PROSECUTOR DRUG        |              |              |
| 35 |                    | <del>ENFORCEMENT TRAINING FUND</del> | <del>0</del> | <del>0</del> |

|   |      |                                       |             |             |
|---|------|---------------------------------------|-------------|-------------|
| 1 | (7)  | CODE REVISION FUND                    | 0           | 0           |
| 2 | (8)  | CRIME INFORMATION SYSTEM FUND         | 0           | 0           |
| 3 | (9)  | MUNICIPAL COURT JUDGE & MUNICIPAL     |             |             |
| 4 |      | COURT CLERK EDUCATION FUND            | 0           | 0           |
| 5 | (10) | ARK JUDICIAL SYSTEM RETIREMENT FUND   | 0           | 0           |
| 6 | (11) | STATE PUBLIC DEFENDER COMMISSION FUND | 0           | 0           |
| 7 | (12) | COURT REPORTER FUND                   | 0           | 0           |
| 8 | (13) | JUSTICE BUILDING FUND                 | <u>0</u>    | <u>0</u>    |
| 9 |      | TOTAL AMOUNT ALLOCATED                | <u>\$ 0</u> | <u>\$ 0</u> |

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11 SECTION 6. STATE ADMINISTRATION OF JUSTICE FUND CREATED. There is  
12 hereby created on the books of the State Treasurer, State Auditor and Chief  
13 Fiscal Officer of the State the "State Administration of Justice Fund", which  
14 such fund shall consist of all court costs and filing fees levied in circuit,  
15 chancery, probate, municipal, city and police courts as required by law there  
16 to be used for personal services for the various trial court administrative  
17 assistants, to partially reimburse counties for costs incurred in  
18 administering the state judicial system, and to be distributed to the  
19 appropriate state agencies as required by law.

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21 SECTION 7. REIMBURSEMENT PROCEDURE. Immediately following the end of  
22 each month, the appropriate county office shall submit an invoice to the  
23 Auditor of State reflecting the actual expenses incurred by the county for  
24 the previous month due to administering the state courts in their  
25 jurisdiction on forms to be prescribed by the Department of Finance and  
26 Administration. The State Auditor, after determining the accuracy of the  
27 invoice, shall issue a warrant in the amount determined to be owed. All  
28 invoices and payments made pursuant to this act shall be subject to an annual  
29 audit by the Division of Legislative Audit of the Legislative Joint Auditing  
30 Committee.

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32 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
33 authorized by this Act shall be limited to the appropriation for such agency  
34 and funds made available by law for the support of such appropriations; and  
35 the restrictions of the State Purchasing Law, the General Accounting and

1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
2 Procedures and Restrictions Act, or their successors, and other fiscal  
3 control laws of this State, where applicable, and regulations promulgated by  
4 the Department of Finance and Administration, as authorized by law, shall be  
5 strictly complied with in disbursement of said funds.

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

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16       SECTION 10. CODE. All provisions of this Act of a general and  
17 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
18 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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

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26       SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict  
27 with this Act are hereby repealed.

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29       SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by  
30 the Eightieth General Assembly, that the Constitution of the State of  
31 Arkansas prohibits the appropriation of funds for more than a two (2) year  
32 period; that the effectiveness of this Act on July 1, 1995 is essential to  
33 the operation of the agency for which the appropriations in this Act are  
34 provided, and that in the event of an extension of the Regular Session, the  
35 delay in the effective date of this Act beyond July 1, 1995 could work

1 irreparable harm upon the proper administration and provision of essential  
2 governmental programs. Therefore, an emergency is hereby declared to exist  
3 and this Act being necessary for the immediate preservation of the public  
4 peace, health and safety shall be in full force and effect from and after  
5 July 1, 1995.

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