

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

A Bill

SENATE BILL 635

4 By: *Joint Budget Committee*
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6

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 AND THE
10 DEPARTMENT OF FINANCE AND ADMINISTRATION - MANAGEMENT
11 SERVICES DIVISION FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 1997; AND FOR OTHER PURPOSES."
13

Subtitle

14 "AN ACT FOR THE AUDITOR OF STATE AND THE
15 DEPARTMENT OF FINANCE AND ADMINISTRATION
16 - MANAGEMENT SERVICES DIVISION
17 APPROPRIATION FOR THE 1995-97 BIENNIUM."
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. REGULAR SALARIES - TRIAL COURT ADMINISTRATIVE ASSISTANTS.

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

Item	Class		No. of	Fiscal Years
No.	Code	Title	Employees	1995-96 1996-
97 (1)		TRIAL COURT ADMIN ASSISTANT	<u>106</u>	GRADE 16
		MAX NO. OF EMPLOYEES	106	

SECTION 2. APPROPRIATIONS - TRIAL COURT ADMINISTRATIVE ASSISTANTS.

There is hereby appropriated, to the Auditor of State, to be payable from the State Administration of Justice Fund, for defraying the costs of the state judicial system for the biennial period ending June 30, 1997, the following:

ITEM		FISCAL YEARS
NO.		1995-96 1996-97
(01)REGULAR SALARIES	\$ 0	\$ 2,650,000
(02)PERSONAL SERVICES MATCHING	<u>0</u>	<u>636,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 0</u>	<u>\$ 3,286,000</u>

SECTION 3. REGULAR SALARIES - ADMINISTRATION OF JUSTICE FUNDS SECTION.

There is hereby established for the Department of Finance and Administration - Management Services Division - Administration of Justice Funds Section, the following maximum number of regular employees which shall be supplemental and in addition to those positions authorized in Section 1 of Act 131 of 1995 and whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

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

1	(1)	R266	MANAGEMENT PROJECT ANALYST II	<u>1</u>	GRADE 20
2			MAX NO. OF EMPLOYEES	1	

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4 SECTION 4. APPROPRIATIONS - ADMINISTRATION OF JUSTICE FUNDS SECTION.

5 There is hereby appropriated to the Department of Finance and Administration,
6 - Management Services Division - Administration of Justice Funds Section, to
7 be payable from the State Central Services Fund for personal services and
8 operating expenses of the Department of Finance and Administration -
9 Management Services Division - Administration of Justice Funds Section which
10 shall be supplemental and in addition to those funds appropriated in Section
11 3 of Act 131 of 1995, for the biennial period ending June 30, 1997, the
12 following:

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14	ITEM	FISCAL YEARS	
15	NO.	1995-96	1996-97
16	(01)REGULAR SALARIES	\$ 22,238	\$ 22,860
17	(02)PERSONAL SERVICES MATCHING	5,955	6,076
18	(03)MAINT. & GEN. OPERATION		
19	(A) OPER. EXPENSE	\$ 14,200	\$ 14,200
20	(B) CONF. & TRVL	0	0
21	(C) PROF. FEES	0	0
22	(D) CAP. OUTLAY	4,500	0
23	(E) DATA PROC.	<u>0</u>	<u>0</u>
24	TOTAL MAINT. & GEN. OPER.	<u>18,700</u>	<u>14,200</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 46,893</u>	<u>\$</u>
26	<u>43,136</u>		

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28 SECTION 5. APPROPRIATIONS. There is hereby appropriated to the
29 Department of Finance and Administration - Disbursing Officer, to be payable
30 from the State Administration of Justice Fund, for distribution to state
31 programs and agencies and reimbursements/refunds to cities or counties of
32 court costs and filing fees remitted by the cities and counties by the
33 Department of Finance and Administration - Disbursing Officer, for the
34 biennial period ending June 30, 1997, the following:

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ITEM NO.	FISCAL YEARS	
	1995-96	1996-97
(01) DISTRIBUTION TO STATE PROGRAMS & AGENCIES	\$ 10,263,178	\$ 13,178,840
(02) REIMBURSEMENTS/REFUNDS TO CITIES OR COUNTIES	<u>5,000,000</u>	<u>5,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 15,263,178</u>	<u>\$ 18,178,840</u>

SECTION 6. The Department of Finance and Administration may transfer funds, from time to time, from the State Administration of Justice Fund to the State Central Services Fund in such amounts as may be required to reimburse the State Central Services Fund for expenses of the Department of Finance and Administration - Administration of Justice Funds Section.

SECTION 7. ALLOCATION RESTRICTIONS. There is hereby allocated to state programs and agencies, as set out herein, the following maximum allocations of funds appropriated in Item (01) of Section 5, to the Department of Finance and Administration - Disbursing Officer, there to be used as provided by law.

Item No.	State Program/Agency	Maximum Allocation Fiscal Years	
		1995-96	1996-97
(1) Board of Trustees of the University of Arkansas for the purpose and as regulated by Arkansas Code Annotated § 6-64-604 - 606		\$ 2,565,979	\$ 2,565,979
(2) Public Health Fund for use in the Drug Abuse Prevention and Treatment program of the Division of Alcohol and Drug Abuse Prevention		75,000	75,000
(3) Highway Safety Special Fund for programs of the Arkansas Highway Safety Program		994,117	994,117
(4) Department of Arkansas State Police			

1	<i>for the State Police Retirement Fund</i>	<i>1,169,971</i>	<i>1,169,971</i>
2	<i>(5)Crime Victims/Reparations Revolving</i>		
3	<i>Fund for the purpose and as regulated</i>		
4	<i>by Arkansas Code Annotated § 16-90-701</i>		
5	<i>et seq.</i>	<i>1,669,971</i>	<i>1,669,971</i>
6	<i>(6)Prosecutor Coordinator's office for</i>		
7	<i>deposit in the Law Enforcement and</i>		
8	<i>Prosecutor Drug Enforcement Training Fund</i>	<i>59,012</i>	<i>59,012</i>
9	<i>(7)Code Revision Fund for the purpose and as</i>		
10	<i>regulated by Arkansas Code Annotated</i>		
11	<i>§ 1-2-305</i>	<i>137,656</i>	<i>137,656</i>
12	<i>(8)Crime Information System Fund</i>	<i>49,489</i>	<i>49,489</i>
13	<i>(9)Municipal Court Judge and the Municipal</i>		
14	<i>Court Clerk Education Fund</i>	<i>19,569</i>	<i>19,569</i>
15	<i>(10)Arkansas Judicial Retirement System Fund</i>	<i>836,361</i>	<i>836,361</i>
16	<i>(11)State Central Services Fund for the</i>		
17	<i>benefit of the Public Defender Commission</i>	<i>505,611</i>	<i>505,611</i>
18	<i>(12)Court Reporter Fund</i>	<i>1,610,104</i>	<i>1,610,104</i>
19	<i>(13)Justice Building Fund</i>	<i>200,000</i>	<i>200,000</i>
20	<i>(14)Until June 30, 1996, the Arkansas</i>		
21	<i>Counties Alcohol and Drug Abuse and</i>		
22	<i>Crime Prevention Fund</i>	<i>370,338</i>	<i>0</i>
23	<i>(15)Effective July 1, 1996, the Administration</i>		
24	<i>of Justice Fund to fund the trial court</i>		
25	<i>staff persons as authorized by law</i>	<i>0</i>	<i>3,286,000</i>
26	<i>TOTAL AMOUNT ALLOCATED</i>	<i><u>\$10,263,178</u></i>	<i><u>\$13,178,840</u></i>

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28 **SECTION 8.** *In the event that the Legislative Joint Auditing*
29 *Committee determines that any allocation amount specified in Section 7*
30 *herein, is greater than the actual receipts from court costs and filing fees*
31 *for Fiscal Year 1994-95 for a state program or agency, then each state*
32 *program or agency is responsible for remitting back to the Department of*
33 *Finance and Administration - Disbursing Officer by fund transfer the amount*
34 *their allocation exceeded actual receipts. The fund transfer from each state*
35 *program or agency shall be deposited into the State Administration of Justice*

1 *Fund. In the event the state program or agency does not have sufficient*
2 *funds to remit back to the Department of Finance and Administration -*
3 *Disbursing Officer, the Department of Finance and Administration - Disbursing*
4 *Officer shall withhold from subsequent monthly allocations under this act, in*
5 *equal installments, amounts sufficient to recover the total amount overpaid*
6 *to the state program or agency. If the allocation provided to a state*
7 *program or agency is less than the actual receipts from court costs and*
8 *filing fees for Fiscal Year 1994-95, then the Department of Finance and*
9 *Administration - Disbursing Officer shall provide the difference in equal*
10 *monthly installments with the state program's or agency's monthly allocation*
11 *by fund transfer.*

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

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

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32 SECTION 11. CODE. All provisions of this Act of a general and
33 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
34 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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1 SECTION 12. SEVERABILITY. If any provision of this Act or the
2 application thereof to any person or circumstance is held invalid, such
3 invalidity shall not affect other provisions or applications of the Act which
4 can be given effect without the invalid provision or application, and to this
5 end the provisions of this Act are declared to be severable.

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

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10 SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by
11 the Eightieth General Assembly, that the Constitution of the State of
12 Arkansas prohibits the appropriation of funds for more than a two (2) year
13 period; that the effectiveness of this Act on July 1, 1995 is essential to
14 the operation of the agency for which the appropriations in this Act are
15 provided, and that in the event of an extension of the Regular Session, the
16 delay in the effective date of this Act beyond July 1, 1995 could work
17 irreparable harm upon the proper administration and provision of essential
18 governmental programs. Therefore, an emergency is hereby declared to exist
19 and this Act being necessary for the immediate preservation of the public
20 peace, health and safety shall be in full force and effect from and after
21 July 1, 1995.

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/s/Russ

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