

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: S2/28/97

# A Bill

SENATE BILL 313

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR DISTRIBUTIONS TO  
10 STATE AGENCIES; REFUNDS AND REIMBURSEMENTS OF COURT COSTS  
11 AND FILING FEES REMITTED BY CITIES AND COUNTIES FOR THE  
12 DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING  
13 OFFICER FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1999; AND  
14 FOR OTHER PURPOSES."

## Subtitle

16  
17 "AN ACT FOR THE DEPARTMENT OF FINANCE  
18 AND ADMINISTRATION - DISBURSING OFFICER  
19 APPROPRIATION FOR THE 1997-99 BIENNIUM."  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 *SECTION 1. REGULAR SALARIES - TRIAL PUBLIC DEFENDER OFFICE. There is*  
24 *hereby established for the Arkansas Public Defender Commission - Trial Public*  
25 *Defender Office for the 1997-99 biennium, the following maximum number of*  
26 *regular employees whose salaries shall be governed by the provisions of the*  
27 *Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et*  
28 *seq.), or its successor, and all laws amendatory thereto. Provided, however,*  
29 *that any position to which a specific maximum annual salary is set out herein*  
30 *in dollars, shall be exempt from the provisions of said Uniform Classification*  
31 *and Compensation Act. All person occupying positions authorized herein are*  
32 *hereby governed by the provisions of the Regular Salaries Procedures and*  
33 *Restrictions Act (Arkansas Code §21-5-101), or its successor.*  
34

35	ITEM	CLASS		NO. OF	FISCAL YEARS
36	<u>NO.</u>	<u>CODE</u>	<u>TITLE</u>	<u>EMPLOYEES</u>	<u>1997-98</u> <u>1998-99</u>

1	(1)	CLASS A CHIEF PUBLIC DEFENDER	4	\$ 68,093	\$ 70,000
2	(2)	CLASS A PUBLIC DEFENDER	30		GRADE 26
3	(3)	CLASS B CHIEF PUBLIC DEFENDER	5		GRADE 25
4	(4)	DEFENSE SERVICES ADMINISTRATOR	1		GRADE 25
5	(5)	CLASS B PUBLIC DEFENDER	65		GRADE 24
6	(6)	NETWORK ADMINISTRATOR	1		GRADE 23
7	(7)	PUBLIC DEFENDER INVESTIGATOR	5		GRADE 20
8	(8)	PUBLIC DEFENDER SECRETARY II	15		GRADE 15
9	(9)	PUBLIC DEFENDER SECRETARY I	<u>15</u>		GRADE 14
10		MAX NO. OF EMPLOYEES	141		

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12 SECTION 2. APPROPRIATIONS - TRIAL PUBLIC DEFENDER OFFICE. There is  
 13 hereby appropriated, to the Arkansas Public Defender Commission, to be  
 14 transferred from the State Administration of Justice Fund, and payable from  
 15 the State Central Services Fund, for defraying the costs of the trial public  
 16 defender system for the biennial period ending June 30, 1999, the following:

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18	ITEM		FISCAL YEARS	
19	<u>NO.</u>		<u>1997-98</u>	<u>1998-99</u>
20	(01)	REGULAR SALARIES	\$ 2,210,000	\$ 4,375,320
21	(02)	PERSONAL SERVICES MATCHING	574,600	1,137,583
22	(03)	COURT FEES AND EXPENSES	0	500,000
23	(04)	CAPITAL OUTLAY	<u>87,000</u>	<u>0</u>
24		TOTAL AMOUNT APPROPRIATED	\$ <u>2,871,600</u>	\$ <u>6,012,903</u>

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26 SECTION 3. APPROPRIATIONS. There is hereby appropriated to the  
 27 Department of Finance and Administration - Disbursing Officer, to be payable  
 28 from the State Administration of Justice Fund, for distribution to state  
 29 programs and agencies and reimbursements/refunds to cities or counties of  
 30 court costs and filing fees remitted by the cities and counties by the  
 31 Department of Finance and Administration - Disbursing Officer, for the  
 32 biennial period ending June 30, 1999, the following:

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34	ITEM		FISCAL YEARS	
35	<u>NO.</u>		<u>1997-98</u>	<u>1998-99</u>

1	(01)	DISTRIBUTION TO STATE		
2		PROGRAMS & AGENCIES	\$ 21,868,387	\$ 25,245,888
3	(02)	REIMBURSEMENTS/REFUNDS		
4		TO CITIES OR COUNTIES	<u>5,000,000</u>	<u>5,000,000</u>
5		TOTAL AMOUNT APPROPRIATED	<u>\$ 26,868,387</u>	<u>\$ 30,245,888</u>

6

7 SECTION 4. SPECIAL LANGUAGE. The Department of Finance and  
 8 Administration may transfer funds, from time to time, from the State  
 9 Administration of Justice Fund to the State Central Services Fund in such  
 10 amounts as may be required to reimburse the State Central Services Fund for  
 11 expenses of the Department of Finance and Administration - Administration of  
 12 Justice Funds Section.

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14 SECTION 5. SPECIAL LANGUAGE. ALLOCATION RESTRICTIONS. There is hereby  
 15 allocated to state programs and agencies, as set out herein, the following  
 16 allocations of funds appropriated in Item (01) of Section 3, to the Department  
 17 of Finance and Administration - Disbursing Officer, there to be used as  
 18 provided by law.

20			<u>Maximum Allocation</u>	
21	<u>Item</u>		<u>Fiscal Years</u>	
22	<u>No.</u>		<u>1997-98</u>	<u>1998-99</u>
23	(1)	<u>Board of Trustees of the University of</u>		
24		<u>Arkansas for the purpose and as regulated</u>		
25		<u>by Arkansas Code Annotated §6-64-604 - 606</u>	<u>\$ 2,687,619</u>	<u>\$ 2,687,619</u>
26	(2)	<u>Public Health Fund for use in the Drug Abuse</u>		
27		<u>Prevention and Treatment Program of the</u>		
28		<u>Bureau of Alcohol and Drug Abuse Prevention</u>	<u>342,000</u>	<u>342,000</u>
29	(3)	<u>Highway Safety Special Fund for programs</u>		
30		<u>of the Arkansas Highway Safety Program</u>	<u>924,795</u>	<u>924,795</u>
31	(4)	<u>Department of Arkansas State Police for</u>		
32		<u>the State Police Retirement Fund</u>	<u>1,249,380</u>	<u>1,249,380</u>
33	(5)	<u>Department of Arkansas State Police Fund</u>	<u>400,000</u>	<u>400,000</u>
34	(6)	<u>Crime Victims/Reparations Revolving Fund</u>		
35		<u>for the purpose and as regulated by Arkansas</u>		
36		<u>Code Annotated §16-90-701 et seq.</u>	<u>2,089,723</u>	<u>2,089,723</u>

1	(7)	<u>Prosecutor Coordinator's Office for deposit</u>		
2		<u>in the Law Enforcement and Prosecutor Drug</u>		
3		<u>Enforcement Training Fund</u>	<u>70,660</u>	<u>70,660</u>
4	(8)	<u>Code Revision Fund for the purpose and as</u>		
5		<u>regulated by Arkansas Code Annotated §1-2-305</u>	<u>113,996</u>	<u>113,996</u>
6	(9)	<u>Crime Information System Fund</u>	<u>98,064</u>	<u>98,064</u>
7	(10)	<u>Justice Building Construction Fund</u>	<u>490,000</u>	<u>490,000</u>
8	(11)	<u>Municipal Court Judge and the Municipal</u>		
9		<u>Court Clerk Education Fund</u>	<u>16,545</u>	<u>16,545</u>
10	(12)	<u>Arkansas Judicial Retirement System Fund</u>	<u>902,797</u>	<u>902,797</u>
11	(13)	<u>State Central Services Fund for the</u>		
12		<u>benefit of the Public Defender Commission</u>	<u>3,335,545</u>	<u>6,476,848</u>
13	(14)	<u>Court Reporter Fund</u>	<u>4,900,000</u>	<u>5,022,500</u>
14	(15)	<u>Justice Building Fund</u>	<u>83,528</u>	<u>83,528</u>
15	(16)	<u>Arkansas Counties Alcohol and Drug</u>		
16		<u>Abuse and Crime Prevention Fund</u>	<u>386,138</u>	<u>386,138</u>
17	(17)	<u>Auditor of State to fund Trial</u>		
18		<u>Court Administrative Assistants</u>	<u>3,465,597</u>	<u>3,579,295</u>
19	(18)	<u>Drug Abuse Prevention and Treatment Fund for</u>		
20		<u>use in the Drug Abuse Prevention and Treatment</u>		
21		<u>program of the Bureau of Alcohol and Drug</u>		
22		<u>Abuse Prevention</u>	<u>312,000</u>	<u>312,000</u>
23		<u>TOTAL AMOUNT ALLOCATED</u>	<u>\$21,868,387</u>	<u>\$25,245,888</u>

24

25 SECTION 6. REGULAR SALARIES - ADMINISTRATION OF JUSTICE FUNDS SECTION.

26 There is hereby established for the Department of Finance and Administration -

27 Management Services Division - Administration of Justice Funds Section, for

28 the 1997-99 biennium, the following maximum number of regular employees which

29 shall be supplemental and in addition to those positions authorized by law and

30 whose salaries shall be governed by the provisions of the Uniform

31 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its

32 successor, and all laws amendatory thereto. Provided, however, that any

33 position to which a specific maximum annual salary is set out herein in

34 dollars, shall be exempt from the provisions of said Uniform Classification

35 and Compensation Act. All persons occupying positions authorized herein are

1 hereby governed by the provisions of the Regular Salaries Procedures and  
 2 Restrictions Act (Arkansas Code §21-5-101), or its successor.

			<del>Maximum Annual</del>		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1997-98	1998-99
7	(1) A008	ACCOUNTING SUPERVISOR II	1	GRADE 21	
8	(2) D132	SYSTEMS COORDINATION ANALYST I	1	GRADE 19	
9	(3) A108	ACCOUNTING TECHNICIAN II	<u>1</u>	GRADE 15	
10		MAXIMUM NUMBER OF EMPLOYEES	3		

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12 SECTION 7. APPROPRIATIONS - ADMINISTRATION OF JUSTICE SECTION. There  
 13 is hereby appropriated, to the Department of Finance and Administration -  
 14 Management Services Division - Administration of Justice Section, to be  
 15 payable from the State Central Services Fund, for personal services and  
 16 operating expenses of the Department of Finance and Administration -  
 17 Management Services Division - Administration of Justice Section which shall  
 18 be supplemental and in addition to those funds appropriated by law, for the  
 19 ~~biennial period ending June 30, 1999, the following.~~

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ITEM	FISCAL YEARS	
NO.	1997-98	1998-99
23 (01) REGULAR SALARIES	\$ 92,211	\$ 94,793
24 (02) PERSONAL SERVICES MATCHING	25,675	26,666
25 (03) MAINTENANCE AND OPERATIONS		
26 (A) OPERATING EXPENSES	25,000	22,000
27 (B) CAPITAL OUTLAY	<u>6,000</u>	<u>0</u>
28 TOTAL AMOUNT APPROPRIATED	<u>\$ 148,886</u>	<u>\$143,459</u>

29

30 SECTION 8. SPECIAL LANGUAGE. DISTRIBUTION OF ADMINISTRATION OF  
 31 JUSTICE FUNDS. In the event that the fund balance in the Administration of  
 32 Justice Fund is inadequate to fund the monthly allocation to State Agencies,  
 33 the funds will be distributed as follows:

34 All monthly allocations to State Agencies will be funded in the  
 35 percentage of the total funds available in the Administration of Justice

1       Fund; that is if less than 100% of the total monthly allocation is  
2       available for distribution, all monthly allocations to State Agencies  
3       will be funded at an equal percentage consistent with the available  
4       funds. Any shortage from from one month will be adjusted in future  
5       months' payments as funds become available.  
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7       SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
8 authorized by this Act shall be limited to the appropriation for such agency  
9 and funds made available by law for the support of such appropriations; and  
10 the restrictions of the State Purchasing Law, the General Accounting and  
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
12 Procedures and Restrictions Act, or their successors, and other fiscal control  
13 laws of this State, where applicable, and regulations promulgated by the  
14 Department of Finance and Administration, as authorized by law, shall be  
15 strictly complied with in disbursement of said funds.  
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17       SECTION 10. LEGISLATIVE INTENT. It is the intent of the General  
18 Assembly that any funds disbursed under the authority of the appropriations  
19 contained in this Act shall be in compliance with the stated reasons for which  
20 this Act was adopted, as evidenced by the Agency Requests, Executive  
21 Recommendations and Legislative Recommendations contained in the budget  
22 manuals prepared by the Department of Finance and Administration, letters, or  
23 summarized oral testimony in the official minutes of the Arkansas Legislative  
24 Council or Joint Budget Committee which relate to its passage and adoption.  
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26       SECTION 11. CODE. All provisions of this Act of a general and  
27 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the  
28 Arkansas Code Revision Commission shall incorporate the same in the Code.  
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30       SECTION 12. SEVERABILITY. If any provision of this Act or the  
31 application thereof to any person or circumstance is held invalid, such  
32 invalidity shall not affect other provisions or applications of the Act which  
33 can be given effect without the invalid provision or application, and to this  
34 end the provisions of this Act are declared to be severable.  
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1 SECTION 13. GENERAL REPEALER. All laws and parts of laws in conflict  
2 with this Act are hereby repealed.

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4 SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by the  
5 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
6 prohibits the appropriation of funds for more than a two (2) year period; that  
7 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
8 the agency for which the appropriations in this Act are provided, and that in  
9 the event of an extension of the Regular Session, the delay in the effective  
10 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
11 proper administration and provision of essential governmental programs.  
12 Therefore, an emergency is hereby declared to exist and this Act being  
13 necessary for the immediate preservation of the public peace, health and  
14 safety shall be in full force and effect from and after July 1, 1997.

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*/s/Russ et al*

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