

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001

# A Bill

HOUSE BILL 1768

4  
5 By: Joint Budget Committee  
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## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES,  
10 SUBSTITUTE EXPENSES, AND EXPENSE ALLOWANCE OF THE  
11 TRIAL COURT ADMINISTRATIVE ASSISTANTS OF THE CIRCUIT  
12 COURTS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003;  
13 AND FOR OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE AUDITOR OF STATE - TRIAL  
17 COURT ADMINISTRATIVE ASSISTANTS  
18 APPROPRIATION FOR THE 2001-2003  
19 BIENNIAL PERIOD.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. REGULAR SALARIES. There is hereby established for the Trial  
26 Court Administrative Assistants of the Circuit Courts for the 2001-2003  
27 biennium, the following maximum number of regular employees whose salaries  
28 shall be governed by the provisions of the Uniform Classification and  
29 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all  
30 laws amendatory thereto. Provided, however, that any position to which a  
31 specific maximum annual salary is set out herein in dollars, shall be exempt  
32 from the provisions of said Uniform Classification and Compensation Act. All  
33 persons occupying positions authorized herein are hereby governed by the  
34 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
35 Code §21-5-101), or its successor.  
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Item	Class	Maximum No. of Employees	Maximum Salary Rate Fiscal Years
No.	Code Title		2001-2002 2002-2003
(1)	TRIAL COURT ADMIN ASSISTANT II	1	GRADE 17
(2)	TRAIL COURT ADMIN ASSISTANT I	<u>113</u>	GRADE 16
	MAX. NO. OF EMPLOYEES	114	

SECTION 2. APPROPRIATION. There is hereby appropriated, to the Auditor of State, to be payable from the State Administration of Justice Fund, for personal services, Trial Court Staff Substitutes expenses, and Trial Court Administrative Assistant expenses by the Trial Court Administrative Assistants of the Circuit Courts for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 3,185,603	\$ 3,268,428
(02) PERSONAL SERV MATCHING	904,217	918,942
(03) TRIAL COURT STAFF SUBSTITUTES	125,000	125,000
(04) TRIAL COURT ASSSISTANT EXPENSES	<u>225,000</u>	<u>225,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 4,439,820</u>	<u>\$ 4,537,370</u>

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRIAL COURT STAFF - ENTRY LEVEL SALARY. The entry level salary of a trial court staff person shall be equal to that established in the state pay plan at grade 16. No trial court staff person authorized by this Act shall receive a salary from the state in excess of twenty-five thousand dollars (\$25,000); provided, however, that beginning July 1, 1997, those persons who have reached the maximum salary limit may receive such increases in salary as are available for other State employees in positions which have its salary established by the provisions of Arkansas Code 21-5-201 et seq. ("Uniform Classification and Compensation Act"). A county or counties shall be authorized to supplement the base salary of any trial court staff person, when approved by the quorum court. The provisions of this section shall be in effect only from July 1,

1 2001 through June 30, 2003.

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3 SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
4 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
5 appropriations as provided in this Act, the agency disbursing officer shall  
6 monitor the level of fund balances in relation to expenditures on a monthly  
7 basis. If any proposed expenditures would cause a fund balance to decline to  
8 less than fifty percent (50%) of the balance available on July 1, 2001, the  
9 disbursing officer shall immediately notify the executive head of the agency.  
10 Prior to any obligations being made under these circumstances, the agency head  
11 shall file written documentation with the Chief Fiscal Officer of the State  
12 requesting approval of the expenditures. Such documentation shall provide  
13 sufficient financial data to justify the expenditures and shall include the  
14 following:

- 15 1) a plan that clearly indicates the specific fiscal impact of such
- 16 expenditures on the fund balance.
- 17 2) information clearly indicating and explaining what programs would be cut or
- 18 any other measures to be taken by the agency to restore the fund balance.
- 19 3) the extent to which any of the planned expenditures are for one-time costs
- 20 or one-time purchase of capitalized items.
- 21 4) a statement certifying that the expenditure of fund balances will not
- 22 jeopardize the financial health of the agency, nor result in a permanent
- 23 depletion of the fund balance.

24 (B) The Chief Fiscal Officer of the State shall review the request and  
25 approve or disapprove all or any part of the request , after having sought  
26 prior review by the Legislative Council.

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28 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
29 this act shall be limited to the appropriation for such agency and funds made  
30 available by law for the support of such appropriations; and the restrictions  
31 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
32 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
33 Restrictions Act, or their successors, and other fiscal control laws of this  
34 State, where applicable, and regulations promulgated by the Department of  
35 Finance and Administration, as authorized by law, shall be strictly complied  
36 with in disbursement of said funds.

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SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 7. 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 two (2) year period; that the effectiveness of this Act on July 1, 2001 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 Regular Session, the delay in the effective date of this Act beyond July 1, 2001 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, 2001.