

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 85th General Assembly
3 Regular Session, 2005
4

A Bill

HOUSE BILL 1339

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR THE PAYMENT
10 OF A PORTION OF FULL-TIME JUVENILE PROBATION AND
11 INTAKE OFFICERS' SALARIES FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE AUDITOR OF STATE -
16 JUVENILE PROBATION AND INTAKE OFFICERS
17 APPROPRIATION FOR THE 2005-2007
18 BIENNIUM.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. APPROPRIATION - JUVENILE PROBATION AND INTAKE OFFICERS. There
25 is hereby appropriated, to the Auditor of State, to be payable from the State
26 Central Services Fund, for the payment of a portion of the salaries of full-
27 time juvenile probation and intake officers in accordance with Arkansas Code
28 16-13-327 and Arkansas Code 16-13-328 for the biennial period ending June 30,
29 2007, the following:
30

ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007
(01) JUVENILE PROBATION & INTAKE OFFICERS	\$ 2,534,810	\$ 2,698,300

34
35 SECTION 2. SPECIAL LANGUAGE. Arkansas Code § 16-13-327 is amended to
36 read as follows:



1 16-13-327. Probation officers.

2 (a) Each juvenile division of circuit court shall be provided with not
 3 fewer than one (1) probation officer to manage the probation services and
 4 needs of the court.

5 (b) Each probation officer shall be an employee of the judge or judges of
 6 the circuit court designated to hear juvenile cases in their district plan
 7 under Arkansas Supreme Court Administrative Order Number 14, originally
 8 issued April 6, 2001, and shall serve at the pleasure of the judge or judges.

9 (c)(1) The probation officers shall be certified as juvenile probation
 10 officers according to the laws of this state and must complete initial
 11 certification requirements within one (1) year of the officers' employment
 12 and must maintain the certification during the terms of their employment.

13 (2) The Juvenile Intake and Probation Officers' Certification
 14 Committee, composed of juvenile officers and judges of the circuit court
 15 designated to hear juvenile cases in their district plan under Arkansas
 16 Supreme Court Administrative Order Number 14, originally issued April 6,
 17 2001, and staffed by an employee of the Administrative Office of the Courts,
 18 shall establish certification standards for intake and probation officers.

19 (3) The office shall collect and maintain records for the juvenile
 20 officers' certification documentation.

21 (d)(1)(A) The salary of the probation officer shall be paid by the county
 22 or counties in which the probation officer works.

23 (B) However, beginning August 1, 1990, except as provided in
 24 subdivision (d)(3), the state shall pay a portion of the salary of a full-
 25 time probation officer who:

26 (i) Who is certified according to the laws of this state; and
 27 whose

28 (ii) Whose salary has been paid by the county or counties for a
 29 period of one (1) year.

30 (2) The portion to be paid by the state shall be the lesser of either
 31 fifteen thousand dollars (\$15,000) a year or one-half (1/2) the probation
 32 officer's average salary as calculated over the last twelve (12) months.

33 (3) The state shall only reimburse a county for salaries paid to the
 34 number of probation officers that:

35 (A) Meet the requirements of subdivision (d)(1) of this section;
 36 and

1 (B) Does not exceed the number of positions authorized by the
 2 county for probation officers as of January 1, 2005.

3
 4 SECTION 3. SPECIAL LANGUAGE. Arkansas Code § 16-13-328 is amended to
 5 read as follows:

6 16-13-328. Intake officers.

7 (a) Each juvenile division of circuit court shall be provided with not
 8 fewer than one (1) intake officer to manage the intake needs of the court.

9 (b) Each intake officer shall be employed by the judge or judges of the
 10 circuit court designated to hear juvenile cases in their district plan under
 11 Arkansas Supreme Court Administrative Order Number 14, originally issued
 12 April 6, 2001, and shall serve at the pleasure of the judge or judges.

13 (c)(1) Each intake officer shall be certified as a juvenile intake
 14 officer according to the laws of this state and must complete initial
 15 certification requirements within one (1) year of the officer's employment
 16 and must maintain the certification during the terms of employment.

17 (2) The Juvenile Intake and Probation Officers' Certification
 18 Committee, composed of juvenile officers and judges of the circuit court
 19 designated to hear juvenile cases in their district plan under the order, and
 20 staffed by an employee of the office, shall establish certification standards
 21 for intake and probation officers.

22 (3) The office shall collect and maintain records for the juvenile
 23 officers' certification documentation.

24 (d)(1)(A) The salary of the intake officer shall be paid by the county or
 25 counties in which the intake officer works.

26 (B) However, beginning August 1, 1990, except as provided in
 27 subdivision (d)(3), the state shall pay a portion of the salary of a full-
 28 time intake officer~~who;~~

29 (i) Who is certified according to the laws of this state; and
 30 ~~whose;~~

31 (ii) Whose salary has been paid by the county or counties for a
 32 period of one (1) year.

33 (2) The portion to be paid by the state shall be the lesser of either
 34 fifteen thousand dollars (\$15,000) a year or one-half (1/2) the intake
 35 officer's average salary as calculated over the last twelve (12) months.

36 (3) The state shall only reimburse a county for a portion of salaries

1 paid to the number of intake officers that:

2 (A) Meet the requirements of subdivision (d)(1) of this section;
3 and

4 (B) Does not exceed the number of positions authorized by the
5 county for intake officers as of January 1, 2005.

6 (e)(1) Each circuit judge whose primary responsibility is conducting
7 hearings for the involuntary admission or commitment of persons to the
8 Arkansas State Hospital or any other public or private hospital with a fully
9 trained psychiatrist on the active or consultant staff shall be provided with
10 not fewer than one (1) intake officer to manage the intake needs of the
11 court.

12 (2) The salaries of the intake officers shall be paid by the county or
13 counties in which the intake officers work, with the state paying a portion,
14 the lesser of either fifteen thousand dollars (\$15,000) per year or one-half
15 (1/2) of each full-time intake officer's annual salary.

16

17 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
18 by this act shall be limited to the appropriation for such agency and funds
19 made available by law for the support of such appropriations; and the
20 restrictions of the State Procurement Law, the General Accounting and
21 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
22 Procedures and Restrictions Act, or their successors, and other fiscal
23 control laws of this State, where applicable, and regulations promulgated by
24 the Department of Finance and Administration, as authorized by law, shall be
25 strictly complied with in disbursement of said funds.

26

27 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly
28 that any funds disbursed under the authority of the appropriations contained
29 in this act shall be in compliance with the stated reasons for which this act
30 was adopted, as evidenced by the Agency Requests, Executive Recommendations
31 and Legislative Recommendations contained in the budget manuals prepared by
32 the Department of Finance and Administration, letters, or summarized oral
33 testimony in the official minutes of the Arkansas Legislative Council or
34 Joint Budget Committee which relate to its passage and adoption.

35

36 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the
2 appropriation of funds for more than a two (2) year period; that the
3 effectiveness of this Act on July 1, 2005 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the Regular Session, the delay in the effective
6 date of this Act beyond July 1, 2005 could work irreparable harm upon the
7 proper administration and provision of essential governmental programs.
8 Therefore, an emergency is hereby declared to exist and this Act being
9 necessary for the immediate preservation of the public peace, health and
10 safety shall be in full force and effect from and after July 1, 2005.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36