

1 State of Arkansas *As Engrossed: S2/27/17 S3/20/17*

2 91st General Assembly

# A Bill

3 Regular Session, 2017

SENATE BILL 150

4

5 By: Joint Budget Committee

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## For An Act To Be Entitled

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AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES

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AND OPERATING EXPENSES FOR TRIAL COURT

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ADMINISTRATORS, THE OFFICIAL COURT REPORTERS OF THE

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CIRCUIT COURTS, JUVENILE PROBATION AND INTAKE

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OFFICERS AND DRUG COURT JUVENILE PROBATION AND INTAKE

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OFFICERS FOR THE FISCAL YEAR ENDING JUNE 30, 2018;

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AND FOR OTHER PURPOSES.

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## Subtitle

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AN ACT FOR THE ADMINISTRATIVE OFFICE OF

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THE COURTS - COURT PERSONNEL

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APPROPRIATION FOR THE 2017-2018 FISCAL

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YEAR.

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

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SECTION 1. REGULAR SALARIES - TRIAL COURT ADMINISTRATORS. There is

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hereby established for the Administrative Office of the Courts - Trial Court

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Administrators for the 2017-2018 fiscal year, the following maximum number of

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regular employees.

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Maximum Annual

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Maximum

Salary Rate

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Item Class

No. of

Fiscal Year

34

No. Code Title

Employees

2017-2018

35

(1) Q226C TRIAL COURT ADMINISTRATOR

122

GRADE *GS07*

36

MAX. NO. OF EMPLOYEES

122



SECTION 2. APPROPRIATION - TRIAL COURT ADMINISTRATORS. There is hereby appropriated, to the Administrative Office of the Courts, to be payable from the Trial Court *Administrator* Fund, for personal services, Trial Court Administrator Substitutes expenses and Trial Court Administrators expenses of the Trial Court Administrators of the Circuit Courts for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) REGULAR SALARIES	\$5,535,479
(02) PERSONAL SERVICES MATCHING	1,902,432
(03) TRIAL COURT ADMINISTRATOR EXPENSES	175,000
(04) TRIAL COURT ADMINISTRATOR SUBSTITUTES	<u>175,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$7,787,911</u></u>

SECTION 3. REGULAR SALARIES - COURT REPORTERS. There is hereby established for the Administrative Office of the Courts - Official Court Reporters of the Circuit Courts for the 2017-2018 fiscal year, the following maximum number of regular employees.

Item Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2017-2018
<u>No. Code Title</u>	<u>Employees</u>	<u>2017-2018</u>
(1) Q227C COURT REPORTER	<u>122</u>	GRADE GS08
MAX. NO. OF EMPLOYEES	122	

SECTION 4. APPROPRIATION - COURT REPORTERS. There is hereby appropriated, to the Administrative Office of the Courts, to be payable from the Court Reporter's Fund, for personal services, expenses allowance, indigent transcripts and court reporter substitutes of the Official Court Reporters of the Circuit Courts for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2017-2018</u>
2	(01) REGULAR SALARIES	\$6,518,781
3	(02) PERSONAL SERVICES MATCHING	2,131,148
4	(03) EXPENSES ALLOWANCE	350,000
5	(04) INDIGENT TRANSCRIPTS	600,000
6	(05) COURT REPORTER SUBSTITUTES	<u>375,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$9,974,929</u></u>

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 9 SECTION 5. APPROPRIATION - JUVENILE PROBATION & INTAKE OFFICERS. There  
 10 is hereby appropriated, to the Administrative Office of the Courts, to be  
 11 payable from the State Central Services Fund, for reimbursement of a portion  
 12 of the salaries of full-time juvenile probation and intake officers in  
 13 accordance with Arkansas Code 16-13-327 and Arkansas Code 16-13-328 for the  
 14 fiscal year ending June 30, 2018, the following:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2017-2018</u>
18	(01) JUVENILE PROBATION & INTAKE OFFICERS	<u><u>\$3,582,810</u></u>

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 20 SECTION 6. REGULAR SALARIES - DRUG COURT JUVENILE PROBATION & INTAKE  
 21 OFFICERS. There is hereby established for the Administrative Office of the  
 22 Courts - Drug Court Juvenile Probation & Intake Officers for the 2017-2018  
 23 fiscal year, the following maximum number of regular employees.

25			Maximum Annual
26		Maximum	Salary Rate
27	Item Class	No. of	Fiscal Year
28	<u>No. Code Title</u>	<u>Employees</u>	<u>2017-2018</u>
29	(1) Q231C DRUG COURT JUV PROB & INTAKE OFF	<u>13</u>	GRADE <i>GS06</i>
30	MAX. NO. OF EMPLOYEES	13	

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 32 SECTION 7. APPROPRIATION - DRUG COURT JUVENILE PROBATION & INTAKE  
 33 OFFICERS. There is hereby appropriated, to the Administrative Office of the  
 34 Courts, to be payable from the State Central Services Fund, for personal  
 35 services for the Drug Court Juvenile Probation & Intake Officers and  
 36 operating expenses for the Structured Assessment of Violence Risk in Youth

1 (SAVRY) Program for the fiscal year ending June 30, 2018, the following:

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<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2017-2018</i></u>
<i>(01) REGULAR SALARIES</i>	<i>\$456,579</i>
<i>(02) PERSONAL SERVICES MATCHING</i>	<i>168,433</i>
<i>(03) SAVRY PROGRAM EXPENSES</i>	<u><i>87,500</i></u>
<i>TOTAL AMOUNT APPROPRIATED</i>	<u><u><i>\$712,512</i></u></u>

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10 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AOC  
 12 RESPONSIBILITY FOR COURT REPORTERS AND TRIAL COURT ADMINISTRATORS.

13 (a) The Administrative Office of the Courts shall be responsible for  
 14 the financial oversight of the Official Court Reporters of the Circuit Courts  
 15 and Trial Court Administrators, which shall include but not be limited to  
 16 biennial and annual budget requests, all budgeting activities, monitoring  
 17 expenses, travel, substitute expenses, indigent transcript payments and to  
 18 ensure projected annual expenditures do not exceed total available funding.

19 (b) The Administrative Office of the Courts with assistance from the  
 20 Arkansas Judicial Council shall establish an official procedure or rules for  
 21 all new hires, terminations and salary adjustments for Trial Court  
 22 Administrators and Official Court Reporters. The official procedures or  
 23 rules shall be implemented prior to July 1, 2015 and shall be administered  
 24 for all Trial Court Administrators and Official Court Reporters.

25 The provisions of this section shall be in effect only from July 1, ~~2016~~  
 26 2017 through June 30, ~~2017~~ 2018.

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28 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
 30 FROM THE ADMINISTRATION OF JUSTICE FUND.

31 (a) (i) The Administrative Office of the Courts shall be responsible  
 32 for requesting and verifying the need for any additional appropriation, any  
 33 position change level, and any increase in the Administration of Justice Fund  
 34 Allocation Section as authorized annually through special language in the  
 35 Department of Finance and Administration's Disbursing Act, for the Trial  
 36 Court Administrators and Official Court Reporters.

1 (ii) Any annual or biennial request for an increase in the  
2 Administration of Justice Fund allocation section for Trial Court  
3 Administrators and/or Official Court Reporters shall not exceed the total or  
4 projected total revenues available for the Trial Court Administrator Fund or  
5 the Court Reporter's Fund from the Administration of Justice Fund as  
6 determined by the Administrative Office of the Courts with assistance from  
7 the Department of Finance and Administration.

8 (b) (i) During a fiscal year the Administrative Office of the Courts  
9 shall not approve any change level in salary, operating expense and other  
10 distributions for Trial Court Administrators which will exceed actual or  
11 projected fund balances in the Trial Court Administrator Fund.

12 (ii) During a fiscal year the Administrative Office of the Courts  
13 shall not approve any change level in salary, operating expense and other  
14 distributions for Court Reporters which will exceed actual or projected fund  
15 balances in the Court Reporter's Fund.

16 The provisions of this section shall be in effect only from July 1, ~~2016~~  
17 2017 through June 30, ~~2017~~ 2018.

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19 *SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
20 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COURT*  
21 *REPORTER TRANSCRIPTS. The Rules of the Arkansas Supreme Court require that*  
22 *the official court reporter who was present in court and was responsible for*  
23 *taking the record of the proceeding is the individual who must prepare and*  
24 *certify the official record or be subject to discipline and possible*  
25 *suspension or revocation of his or her court reporting license. The*  
26 *Administrative Office of the Courts is therefore authorized to employ and/or*  
27 *contact with and pay a court reporter previously employed by the state for*  
28 *services provided at any time after his or her separation from state*  
29 *employment, irrespective of any limitations otherwise provided in Ark. Code §*  
30 *19-11-709 (d).*

31 *The provisions of this section shall be in effect only from July 1, 2017*  
32 *through June 30, 2018.*

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34 *SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds*  
35 *authorized by this act shall be limited to the appropriation for such agency*  
36 *and funds made available by law for the support of such appropriations; and*

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

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

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17 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the  
18 General Assembly, that the Constitution of the State of Arkansas prohibits  
19 the appropriation of funds for more than a one (1) year period; that the  
20 effectiveness of this Act on July 1, 2017 is essential to the operation of  
21 the agency for which the appropriations in this Act are provided, and that in  
22 the event of an extension of the legislative session, the delay in the  
23 effective date of this Act beyond July 1, 2017 could work irreparable harm  
24 upon the proper administration and provision of essential governmental  
25 programs. Therefore, an emergency is hereby declared to exist and this Act  
26 being necessary for the immediate preservation of the public peace, health  
27 and safety shall be in full force and effect from and after July 1, 2017.

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29 */s/ Joint Budget Committee*  
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