

Stricken language will be deleted and underlined language will be added.

State of Arkansas
90th General Assembly
Fiscal Session, 2016

A Bill

SENATE BILL 82

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE TRIAL COURT ADMINISTRATORS AND THE OFFICIAL COURT REPORTERS OF THE CIRCUIT COURTS FOR THE FISCAL YEAR ENDING JUNE 30, 2017; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ADMINISTRATIVE OFFICE OF THE COURTS - TRIAL COURT ADMINISTRATORS AND THE OFFICIAL COURT REPORTERS APPROPRIATION FOR THE 2016-2017 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - TRIAL COURT ADMINISTRATORS. There is hereby established for the Administrative Office of the Courts - Trial Court Administrators for the 2016-2017 fiscal year, the following maximum number of regular employees.

Item No.	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
(1)	TRIAL COURT ADMINISTRATOR	<u>122</u>	GRADE C117
	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 Trail Court Administrators of the Circuit Courts for the fiscal year ending June 30, 2017, the following:

ITEM NO.		FISCAL YEAR 2016-2017
(01)	REGULAR SALARIES	\$5,535,479
(02)	PERSONAL SERV MATCHING	1,902,432
(03)	TRIAL COURT ADMINISTRATOR EXPENSES	225,000
(04)	TRIAL COURT ADMINISTRATOR SUBSTITUTES	<u>125,000</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 2016-2017 fiscal year, the following maximum number of regular employees.

Item No.	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
(1)	COURT REPORTER	<u>122</u>	GRADE C119
	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, 2017, the following:

ITEM NO.		FISCAL YEAR 2016-2017
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(01) REGULAR SALARIES	\$6,518,781
(02) PERSONAL SERV MATCHING	2,131,148
(03) EXPENSES ALLOWANCE	400,000
(04) INDIGENT TRANSCRIPTS	600,000
(05) COURT REPORTER SUBSTITUTES	<u>325,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$9,974,929</u></u>

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AOC RESPONSIBILITY FOR COURT REPORTERS AND TRIAL COURT ADMINISTRATORS.

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

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

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING FROM THE ADMINISTRATION OF JUSTICE FUND.

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

(ii) Any annual or biennial request for an increase in the Administration of Justice Fund allocation section for Trial Court

Administrators and/or Official Court Reporters shall not exceed the total or projected total revenues available for the Trial Court Administrator Fund or the Court Reporter's Fund from the Administration of Justice Fund as determined by the Administrative Office of the Courts with assistance from the Department of Finance and Administration.

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

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

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRIAL COURT ADMINISTRATOR EMPLOYMENT. In the event that any Trial Court Administrator terminates employment for any reason and is eligible for the payment of accumulated annual leave, the employment date for the new employee shall be delayed and the position shall remain vacant for the period of time required to account for the cost of the payment of accumulated annual leave.

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 9. 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 10. 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 one (1) year period; that the effectiveness of this Act on July 1, 2016 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 legislative session, the delay in the effective date of this Act beyond July 1, 2016 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, 2016.