

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

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: S2/27/17 S3/20/17
A Bill

SENATE BILL 150

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR TRIAL COURT
ADMINISTRATORS, THE OFFICIAL COURT REPORTERS OF THE
CIRCUIT COURTS, JUVENILE PROBATION AND INTAKE
OFFICERS AND DRUG COURT JUVENILE PROBATION AND INTAKE
OFFICERS FOR THE FISCAL YEAR ENDING JUNE 30, 2018;
AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ADMINISTRATIVE OFFICE OF
THE COURTS - COURT PERSONNEL
APPROPRIATION FOR THE 2017-2018 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 2017-2018 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum	Maximum Annual
			No. of Employees	Salary Rate Fiscal Year
(1)	Q226C	TRIAL COURT ADMINISTRATOR	<u>122</u>	GRADE <i>GS07</i>
		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	Maximum Annual
<u>No.</u>	<u>Code Title</u>	<u>No. of</u>	<u>Salary Rate</u>
		<u>Employees</u>	<u>Fiscal Year</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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NO.	2017-2018
(01) REGULAR SALARIES	\$6,518,781
(02) PERSONAL SERVICES MATCHING	2,131,148
(03) EXPENSES ALLOWANCE	350,000
(04) INDIGENT TRANSCRIPTS	600,000
(05) COURT REPORTER SUBSTITUTES	<u>375,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$9,974,929</u></u>

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

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

SECTION 6. REGULAR SALARIES - DRUG COURT JUVENILE PROBATION & INTAKE OFFICERS. There is hereby established for the Administrative Office of the Courts - Drug Court Juvenile Probation & Intake Officers 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
(1) Q231C DRUG COURT JUV PROB & INTAKE OFF	<u>13</u>	GRADE <i>GS06</i>
MAX. NO. OF EMPLOYEES	13	

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

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

<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>

SECTION 8. 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SECTION 9. 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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

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

SECTION 11. 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 12. 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 13. 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, 2017 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, 2017 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, 2017.

/s/ Joint Budget Committee