

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

SENATE BILL 136

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE TRIAL COURT
10 ADMINISTRATORS AND THE OFFICIAL COURT REPORTERS OF
11 THE CIRCUIT COURTS FOR THE FISCAL YEAR ENDING JUNE
12 30, 2016; AND FOR OTHER PURPOSES.
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Subtitle

15 AN ACT FOR THE ADMINISTRATIVE OFFICE OF
16 THE COURTS - TRIAL COURT ADMINISTRATORS
17 AND THE OFFICIAL COURT REPORTERS
18 APPROPRIATION FOR THE 2015-2016 FISCAL
19 YEAR.
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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 - TRIAL COURT ADMINISTRATORS. There is
26 hereby established for the Administrative Office of the Courts - Trial Court
27 Administrators for the 2015-2016 fiscal year, the following maximum number of
28 regular employees.
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Item	Maximum	Maximum Annual
No.	No. of	Salary Rate
Title	Employees	Fiscal Year
		2015-2016
(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 Administrative Assistant 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, 2016, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(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 2015-2016 fiscal year, the following maximum number of regular employees.

Item	Maximum	Maximum Annual
<u>No.</u>	<u>No. of</u>	<u>Salary Rate</u>
Title	<u>Employees</u>	<u>Fiscal Year</u>
<u>NO.</u>	<u>Employees</u>	<u>2015-2016</u>
(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, 2016, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>

1	(01) REGULAR SALARIES	\$6,518,781
2	(02) PERSONAL SERV MATCHING	2,131,148
3	(03) EXPENSES ALLOWANCE	400,000
4	(04) INDIGENT TRANSCRIPTS	600,000
5	(05) COURT REPORTER SUBSTITUTES	<u>325,000</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$9,974,929</u></u>

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

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

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

23 The provisions of this sections shall be in effect only from July 1 2015,
24 through June 30, 2016.

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

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

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

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

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

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

14 The provisions of this sections shall be in effect only from July 1 2015,
15 through June 30, 2016.

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17 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Any funds
19 appropriated by the Ninetieth General Assembly from the Trial Court
20 Administrative Assistant Fund may be deemed payable from the Trial Court
21 Administrator Fund.

22 The provisions of this sections shall be in effect only from July 1 2015,
23 through June 30, 2016.

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25 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRIAL
27 COURT ADMINISTRATOR EMPLOYMENT. In the event that any Trial Court
28 Administrator terminates employment for any reason and is eligible for the
29 payment of accumulated annual leave, the employment date for the new employee
30 shall be delayed and the position shall remain vacant for the period of time
31 required to account for the cost of the payment of accumulated annual leave.

32 The provisions of this section shall be in effect only from July 1,
33 ~~2014~~ 2015 through June 30, 2015 ~~2016~~.

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35 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
36 authorized by this act shall be limited to the appropriation for such agency

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

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

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 18 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the
 19 General Assembly, that the Constitution of the State of Arkansas prohibits
 20 the appropriation of funds for more than a one (1) year period; that the
 21 effectiveness of this Act on July 1, 2015 is essential to the operation of
 22 the agency for which the appropriations in this Act are provided, and that in
 23 the event of an extension of the legislative session, the delay in the
 24 effective date of this Act beyond July 1, 2015 could work irreparable harm
 25 upon the proper administration and provision of essential governmental
 26 programs. Therefore, an emergency is hereby declared to exist and this Act
 27 being necessary for the immediate preservation of the public peace, health
 28 and safety shall be in full force and effect from and after July 1, 2015.

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 31 **APPROVED: 03/23/2015**
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