

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL 466

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PAYING ATTORNEY FEES
9 AND COSTS AWARDED BY A COURT TO COURT APPOINTED ATTORNEYS
10 FOR INDIGENT DEFENDANTS BY THE DEPARTMENT OF FINANCE AND
11 ADMINISTRATION - DISBURSING OFFICER, FOR THE REMAINDER OF
12 THE BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER
13 PURPOSES."

Subtitle

16 "AN ACT FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION -
17 DISBURSING OFFICER SUPPLEMENTAL APPROPRIATION."

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

21 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the
22 Department of Finance and Administration - Disbursing Officer, to be payable
23 from the Trial Expense Assistance Fund, for payment of attorney fees and costs
24 awarded by a court to court appointed attorneys for indigent defendants, for
25 the remainder of the biennial period ending June 30, 1993, the following:

| 27 ITEM | FISCAL YEAR |
|---|-------------------|
| 28 NO. | 1992-93 |
| 29 (01) COURT APPOINTED ATTORNEYS FOR INDIGENT DEFENDANTS | |
| 30 FEES AND COSTS | <u>\$ 200,000</u> |

32 SECTION 2. Arkansas Code 19-5-1009(d) is hereby repealed.

34 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
35 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 Purchasing 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 control
5 laws of this State, where applicable, and regulations promulgated by the
6 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 4. 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 which
12 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 5. CODE. All provisions of this Act of a general and permanent
19 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
20 Code Revision Commission shall incorporate the same in the Code.

21

22 SECTION 6. SEVERABILITY. If any provision of this Act or the
23 application thereof to any person or circumstance is held invalid, such
24 invalidity shall not affect other provisions or applications of the Act which
25 can be given effect without the invalid provision or application, and to this
26 end the provisions of this Act are declared to be severable.

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28 SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict
29 with this Act are hereby repealed.

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31 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the
32 Seventy-Ninth General Assembly meeting in Regular Session, that funds provided
33 by the Seventy-Eighth General Assembly for the operations of the Department of
34 Finance and Administration - Disbursing Officer are, due to unforeseen
35 circumstances, insufficient for the Department of Finance and Administration -

1 Disbursing Officer to continue to provide essential governmental services;
2 that the provisions of this act will provide the necessary monies for the
3 Department of Finance and Administration - Disbursing Officer to continue such
4 services; and that a delay in the effective date of this Act could work
5 irreparable harm upon the proper administration and provision of essential
6 governmental programs. Therefore, an emergency is hereby declared to exist
7 and this Act being necessary for the immediate preservation of the public
8 peace, health and safety shall be in full force and effect from and after the
9 date of its passage and approval.

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/s/Senator Bell

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