

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

*As Engrossed: S4/7/03*  
**A Bill**

**Act 1283 of 2003**  
SENATE BILL 203

5 By: Joint Budget Committee  
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**For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
11 PUBLIC DEFENDER COMMISSION FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 2005; AND FOR OTHER  
13 PURPOSES.  
14

**Subtitle**

15  
16 AN ACT FOR THE ARKANSAS PUBLIC DEFENDER  
17 COMMISSION APPROPRIATION FOR THE  
18 2003-2005 BIENNIUM.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby  
25 established for the Arkansas Public Defender Commission - State Operations  
26 for the 2003-2005 biennium, the following maximum number of regular employees  
27 whose salaries shall be governed by the provisions of the Uniform  
28 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or  
29 its successor, and all laws amendatory thereto. Provided, however, that any  
30 position to which a specific maximum annual salary is set out herein in  
31 dollars, shall be exempt from the provisions of said Uniform Classification  
32 and Compensation Act. All persons occupying positions authorized herein are  
33 hereby governed by the provisions of the Regular Salaries Procedures and  
34 Restrictions Act (Arkansas Code §21-5-101), or its successor.  
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36 Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years	
				2003-2004	2004-2005
1	(1)	8914 PUBLIC DEF COMM EXEC DIRECTOR	1	\$83,488	\$85,474
2	(2)	R038 ATTORNEY SUPERVISOR	2	GRADE 26	
3	(3)	R170 ATTORNEY SPECIALIST	5	GRADE 25	
4	(4)	X301 PUB DEF COMM INVESTIGATOR	2	GRADE 22	
5	(5)	R298 AGENCY PROGRAM COORDINATOR	1	GRADE 21	
6	(6)	R093 MITIGATION SPECIALIST	1	GRADE 20	
7	(7)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
8	(8)	R440 BUSINESS CONTROLLER II	1	GRADE 16	
9	(9)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	<u>1</u>	GRADE 14	
10		MAX. NO. OF EMPLOYEES	15		

SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for the Arkansas Public Defender Commission - State Operations for the 2003-2005 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: three (3) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Arkansas Public Defender Commission, to be payable from the State Central Services Fund, for personal services and operating expenses of the Arkansas Public Defender Commission - State Operations for the biennial period ending June 30, 2005, the following:

ITEM NO.		FISCAL YEARS	
		2003-2004	2004-2005
(01)	REGULAR SALARIES	\$ 741,305	\$ 741,305
(02)	EXTRA HELP	12,000	12,000
(03)	PERSONAL SERVICE MATCH	176,543	176,543
(04)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	180,093	180,093

1	(B) CONF. & TRAVEL	17,000	17,000
2	(C) PROF. FEES	96,000	96,000
3	(D) CAP. OUTLAY	0	0
4	(E) DATA PROC.	<u>0</u>	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,222,941</u>	<u>\$ 1,222,941</u>

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7 SECTION 4. REGULAR SALARIES - TRIAL PUBLIC DEFENDER OFFICE. There is  
 8 hereby established for the Arkansas Public Defender Commission - Trial Public  
 9 Defender Office for the 2003-2005 biennium, the following maximum number of  
 10 regular employees whose salaries shall be governed by the provisions of the  
 11 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
 12 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
 13 that any position to which a specific maximum annual salary is set out herein  
 14 in dollars, shall be exempt from the provisions of said Uniform  
 15 Classification and Compensation Act. All persons occupying positions  
 16 authorized herein are hereby governed by the provisions of the Regular  
 17 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
 18 successor.

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			Maximum Annual		
			Maximum	Salary Rate	
			No. of	Fiscal Years	
Item	Class	Title	Employees	2003-2004	2004-2005
(1)	9037	CHIEF PUBLIC DEFENDER	6	\$81,600	\$83,550
(2)	R015	CLASS A PUBLIC DEFENDER	28	GRADE 26	
(3)	011Z	PUB DEF DEFENSE SVCS ADMIN	1	GRADE 25	
(4)	R016	CLASS B CHIEF PUBLIC DEFENDER	5	GRADE 25	
(5)	R029	CLASS B PUBLIC DEFENDER	92	GRADE 24	
(6)	008Z	PUB DEFENDER NETWORK ADMINSTRATOR	1	GRADE 23	
(7)	R047	PUBLIC DEFENDER PERSONNEL MANAGER	1	GRADE 22	
(8)	R093	MITIGATION SPECIALIST	1	GRADE 20	
(9)	X308	PUBLIC DEFENDER INVESTIGATOR	5	GRADE 20	
(10)	R204	PARALEGAL/LEGAL ASSISTANT	2	GRADE 19	
(11)	K017	PUBLIC DEFENDER SECRETARY II	<u>47</u>	GRADE 15	
		MAX. NO. OF EMPLOYEES	189		

1 SECTION 5. EXTRA HELP - TRIAL PUBLIC DEFENDER OFFICE. There is hereby  
 2 authorized, for the Arkansas Public Defender Commission - Trial Public  
 3 Defender Office for the 2003-2005 biennium, the following maximum number of  
 4 part-time or temporary employees, to be known as "Extra Help", payable from  
 5 funds appropriated herein for such purposes: three (3) temporary or part-  
 6 time employees, when needed, at rates of pay not to exceed those provided in  
 7 the Uniform Classification and Compensation Act, or its successor, or this  
 8 act for the appropriate classification.

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 10 SECTION 6. APPROPRIATION - TRIAL PUBLIC DEFENDER OFFICE. There is hereby  
 11 appropriated, to the Arkansas Public Defender Commission, to be payable from  
 12 the State Central Services Fund, for personal services and operating expenses  
 13 of the Arkansas Public Defender Commission - Trial Public Defender Office for  
 14 the biennial period ending June 30, 2005, the following:

16 ITEM	17 FISCAL YEARS	
18 NO.	2003-2004	2004-2005
18 (01) REGULAR SALARIES	\$ 9,433,755	\$ 9,433,755
19 (02) EXTRA HELP	15,000	15,000
20 (03) PERSONAL SERVICE MATCH	2,230,657	2,230,657
21 (04) MAINT. & GEN. OPERATION		
22 (A) OPER. EXPENSE	60,000	60,000
23 (B) CONF. & TRAVEL	0	0
24 (C) PROF. FEES	750,000	750,000
25 (D) CAP. OUTLAY	0	0
26 (E) DATA PROC.	<u>0</u>	<u>0</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$ 12,489,412</u>	<u>\$ 12,489,412</u>

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 29 SECTION 7. REGULAR SALARIES - OMBUDSMAN PROGRAM. There is hereby  
 30 established for the Arkansas Public Defender Commission - Ombudsman Program  
 31 for the 2003-2005 biennium, the following maximum number of regular employees  
 32 whose salaries shall be governed by the provisions of the Uniform  
 33 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or  
 34 its successor, and all laws amendatory thereto. Provided, however, that any  
 35 position to which a specific maximum annual salary is set out herein in  
 36 dollars, shall be exempt from the provisions of said Uniform Classification

1 and Compensation Act. All persons occupying positions authorized herein are  
 2 hereby governed by the provisions of the Regular Salaries Procedures and  
 3 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				2003-2004	2004-2005
9	(1) M018	PUBLIC DEF OMBUDSMAN COORDINATOR	1	GRADE 22	
10	(2) M030	PUBLIC DEFENDER OMBUDSMAN/SW	5	GRADE 20	
11	(3) K017	PUBLIC DEFENDER SECRETARY II	<u>1</u>	GRADE 15	
12	MAX. NO. OF EMPLOYEES		7		

14 SECTION 8. APPROPRIATION - OMBUDSMAN PROGRAM. There is hereby  
 15 appropriated, to the Arkansas Public Defender Commission, to be payable from  
 16 the State Central Services Fund, for personal services of the Arkansas Public  
 17 Defender Commission - Ombudsman Program for the biennial period ending June  
 18 30, 2005, the following:

ITEM NO.		FISCAL YEARS	
		2003-2004	2004-2005
22	(01) REGULAR SALARIES	\$ 233,484	\$ 233,484
23	(02) PERSONAL SERVICE MATCH	<u>62,051</u>	<u>62,051</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 295,535</u>	<u>\$ 295,535</u>

26 SECTION 9. APPROPRIATION. *There is hereby appropriated, to the Arkansas*  
 27 *Public Defender Commission, to be payable from the Public Defender User Fees*  
 28 *Account of the State Central Services Fund, solely from monies generated by*  
 29 *the passage and approval of House Bill 2696 of the 84<sup>th</sup> General Assembly*  
 30 *meeting in Regular Session, for personal services and operating expenses*  
 31 *including expenses associated with information technology needs of the*  
 32 *Arkansas Public Defender Commission, for each fiscal year of the biennial*  
 33 *period ending June 30, 2005, the sum of . . . . . \$770,000.*

35 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEES. FEE

1 GENERATION AND SUPPORT. Unless specified otherwise in Arkansas Code §5-4-  
2 303(g) and Arkansas Code 16-87-213 the monies collected by the courts under  
3 the authority of §5-4-303(g) and 16-87-213 shall be deposited into the State  
4 Treasury to the credit of the State Central Services Fund.

5 In the event that the law requires that the fees levied under §5-4-303(g)  
6 be deposited into the State Administration of Justice Fund, the State  
7 Treasurer shall transfer the amount of the fees collected each month under  
8 the authority of Arkansas Code §5-4-303(g) from the State Administration of  
9 Justice Fund to the State Central Services Fund.

10 The provisions of this section shall be in effect only from July 1, ~~2001~~ 2003  
11 through June 30, ~~2003~~ 2005.

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15 SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
16 by this act shall be limited to the appropriation for such agency and funds  
17 made available by law for the support of such appropriations; and the  
18 restrictions of the State Purchasing Law, the General Accounting and  
19 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
20 Procedures and Restrictions Act, or their successors, and other fiscal  
21 control laws of this State, where applicable, and regulations promulgated by  
22 the Department of Finance and Administration, as authorized by law, shall be  
23 strictly complied with in disbursement of said funds.

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

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34 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General  
35 Assembly, that the Constitution of the State of Arkansas prohibits the  
36 appropriation of funds for more than a two (2) year period; that the

1 effectiveness of this Act on July 1, 2003 is essential to the operation of  
2 the agency for which the appropriations in this Act are provided, and that in  
3 the event of an extension of the Regular Session, the delay in the effective  
4 date of this Act beyond July 1, 2003 could work irreparable harm upon the  
5 proper administration and provision of essential governmental programs.  
6 Therefore, an emergency is hereby declared to exist and this Act being  
7 necessary for the immediate preservation of the public peace, health and  
8 safety shall be in full force and effect from and after July 1, 2003.

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10 */s/ Joint Budget Committee*

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13 *APPROVED: 4/14/2003*  
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