

**Stricken language will be deleted and underlined language will be added.  
Act 185 of the Fiscal Session**

1 State of Arkansas  
2 87th General Assembly  
3 Fiscal Session, 2010  
4

**A Bill**

SENATE BILL 99

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

AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL  
IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS  
PUBLIC DEFENDER COMMISSION; AND FOR OTHER  
PURPOSES.

**Subtitle**

AN ACT FOR THE ARKANSAS PUBLIC DEFENDER  
COMMISSION REAPPROPRIATION.

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REAPPROPRIATION. There is hereby appropriated, to the Arkansas  
23 Public Defender Commission, to be payable from the General Improvement Fund  
24 or its successor fund or fund accounts, for the Arkansas Public Defender  
25 Commission, the following:

26 (A) Effective July 1, 2010, the balance of the appropriation provided in  
27 Section 1 of Act 1432 of 2009, for professional fees, in a sum not to exceed  
28 ..... \$250,000.  
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30 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
31 obligations otherwise incurred in relation to the project or projects  
32 described herein in excess of the State Treasury funds actually available  
33 therefor as provided by law. Provided, however, that institutions and  
34 agencies listed herein shall have the authority to accept and use grants and  
35 donations including Federal funds, and to use its unobligated cash income or  
36 funds, or both available to it, for the purpose of supplementing the State

1 Treasury funds for financing the entire costs of the project or projects  
2 enumerated herein. Provided further, that the appropriations and funds  
3 otherwise provided by the General Assembly for Maintenance and General  
4 Operations of the agency or institutions receiving appropriation herein shall  
5 not be used for any of the purposes as appropriated in this act.

6 (B) The restrictions of any applicable provisions of the State Purchasing  
7 Law, the General Accounting and Budgetary Procedures Law, the Revenue  
8 Stabilization Law and any other applicable fiscal control laws of this State  
9 and regulations promulgated by the Department of Finance and Administration,  
10 as authorized by law, shall be strictly complied with in disbursement of any  
11 funds provided by this act unless specifically provided otherwise by law.

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13 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General Assembly  
14 that any funds disbursed under the authority of the appropriations contained  
15 in this act shall be in compliance with the stated reasons for which this act  
16 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
17 and Legislative Recommendations contained in the budget manuals prepared by  
18 the Department of Finance and Administration, letters, or summarized oral  
19 testimony in the official minutes of the Arkansas Legislative Council or  
20 Joint Budget Committee which relate to its passage and adoption.

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22 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General  
23 Assembly, that the Constitution of the State of Arkansas prohibits the  
24 appropriation of funds for more than a one (1) year period; that the  
25 effectiveness of this Act on July 1, 2010 is essential to the operation of  
26 the agency for which the appropriations in this Act are provided, and that in  
27 the event of an extension of the legislative session, the delay in the  
28 effective date of this Act beyond July 1, 2010 could work irreparable harm  
29 upon the proper administration and provision of essential governmental  
30 programs. Therefore, an emergency is hereby declared to exist and this Act  
31 being necessary for the immediate preservation of the public peace, health  
32 and safety shall be in full force and effect from and after July 1, 2010.

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34 **APPROVED: 02/19/2010**  
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