

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

A Bill

SENATE BILL 67

4
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 DEPUTY PROSECUTING
10 ATTORNEYS FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND
11 FOR OTHER PURPOSES.
12
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Subtitle

14 AN ACT FOR THE AUDITOR OF STATE - DEPUTY
15 PROSECUTING ATTORNEYS APPROPRIATION FOR
16 THE 2015-2016 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES - DEPUTY PROSECUTING ATTORNEYS. There is hereby
23 established for the Auditor of State - Deputy Prosecuting Attorneys for the 2015-2016 fiscal year, the
24 following maximum number of regular employees.
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		Maximum Annual		
		Maximum	Salary Rate	
Item		No. of	Fiscal Year	
No.	Title	Employees	2015-2016	
30	(1) DEP PROS ATTY - ATTORNEY PART-TIME III	15		\$80,779
31	(2) DEP PROS ATTY - ATTORNEY PART-TIME II	8		\$66,931
32	(3) DEP PROS ATTY - ATTORNEY PART-TIME I	55		\$55,720
33	(4) SENIOR DEPUTY PROSECUTING ATTORNEY II	3		GRADE N908
34	(5) SENIOR DEPUTY PROSECUTING ATTORNEY I	6		GRADE N906
35	(6) SPECIAL DEPUTY PROSECUTING ATTORNEY	2		GRADE N905
36	(7) DEP PROS ATTY - ATTORNEY SUPERVISOR	37		GRADE C130

1	(8)	DEP PROS ATTY - ATTORNEY SPECIALIST	32	GRADE C129
2	(9)	DEP PROS ATTY - ATTORNEY	<u>87</u>	GRADE C128
3		MAX. NO. OF EMPLOYEES	245	

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5 SECTION 2. APPROPRIATION - DEPUTY PROSECUTING ATTORNEYS. There is hereby
 6 appropriated, to the Auditor of State, to be payable from the State Central Services Fund, for personal
 7 services and Special Deputy Expense Allowance of the Deputy Prosecuting Attorneys for the fiscal year
 8 ending June 30, 2016, the following:

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10	ITEM	FISCAL YEAR
11	<u>NO.</u>	<u>2015-2016</u>
12	(01) REGULAR SALARIES	\$15,567,141
13	(02) PERSONAL SERVICES MATCHING	4,743,634
14	(03) SPECIAL DEPUTY EXPENSE ALLOWANCE	<u>4,800</u>
15	TOTAL AMOUNT APPROPRIATED	<u>\$20,315,575</u>

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17 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
 19 RATES OF PAY. Due to the need for competent deputy prosecuting attorneys throughout the state and
 20 the necessity of retaining qualified deputy prosecuting attorneys, the elected prosecuting attorneys,
 21 through the Prosecution Coordination Commission, are authorized to request special rates of pay for
 22 current and new deputy prosecuting attorneys up to the levels listed below for the following
 23 classifications:

24	TITLE	GRADE LEVEL
25	Dep. Pros. Atty-Attorney	C128 Career
26	Dep. Pros. Atty-Attorney Specialist	C129 Career
27	Dep. Pros. Atty-Attorney Supervisor	C130 Career

28 The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~
 29 2016.

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31 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LEGISLATIVE
 33 INTENT. It is the intent of the General Assembly, in the transition to a state-funded deputy prosecuting
 34 attorney system, to provide an appropriate and adequate level of legal representation through deputy
 35 prosecuting attorneys in all areas of the state. It is recognized by the General Assembly that in many
 36 areas of the state, resources have not been available to support deputy prosecuting attorney salaries at

1 the necessary level. With the transition of local funding of deputy prosecuting attorney salaries to state
2 funding, it is not the intent of the General Assembly to adversely affect those districts whose system has
3 been working well or to implement a system which is too inflexible to respond to the needs of each judicial
4 district. Therefore, the Prosecution Coordination Commission is charged with the responsibility of
5 assisting in the maintenance of a system which equitably serves all areas of the state by providing quality
6 deputy prosecuting attorneys.

7 The provisions of this section shall be in effect only from July 1, 2015 through June 30, 2016.
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9 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act
10 shall be limited to the appropriation for such agency and funds made available by law for the support of
11 such appropriations; and the restrictions of the State Procurement Law, the General Accounting and
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and
13 Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and
14 regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be
15 strictly complied with in disbursement of said funds.
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17 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds
18 disbursed under the authority of the appropriations contained in this act shall be in compliance with the
19 stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive
20 Recommendations and Legislative Recommendations contained in the budget manuals prepared by the
21 Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of
22 the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.
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24 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that
25 the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year
26 period; that the effectiveness of this Act on July 1, 2015 is essential to the operation of the agency for
27 which the appropriations in this Act are provided, and that in the event of an extension of the legislative
28 session, the delay in the effective date of this Act beyond July 1, 2015 could work irreparable harm upon
29 the proper administration and provision of essential governmental programs. Therefore, an emergency is
30 hereby declared to exist and this Act being necessary for the immediate preservation of the public peace,
31 health and safety shall be in full force and effect from and after July 1, 2015.
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