

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

As Engrossed: S3/27/15

A Bill

SENATE BILL 67

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;
11 AND FOR OTHER PURPOSES.
12
13

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
23 hereby established for the Auditor of State - Deputy Prosecuting Attorneys
24 for the 2015-2016 fiscal year, the following maximum number of regular
25 employees.
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Item No.	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2015-2016
31 (1)	DEP PROS ATTY - ATTORNEY PART-TIME III	15	\$80,779
32 (2)	DEP PROS ATTY - ATTORNEY PART-TIME II	8	\$66,931
33 (3)	DEP PROS ATTY - ATTORNEY PART-TIME I	55	\$55,720
34 (4)	SENIOR DEPUTY PROSECUTING ATTORNEY II	3	GRADE N908
35 (5)	SENIOR DEPUTY PROSECUTING ATTORNEY I	6	GRADE N906
36 (6)	SPECIAL DEPUTY PROSECUTING ATTORNEY	2	GRADE N905



1	(7)	DEP PROS ATTY - ATTORNEY SUPERVISOR	37	GRADE C130
2	(8)	DEP PROS ATTY - ATTORNEY SPECIALIST	32	GRADE C129
3	(9)	DEP PROS ATTY - ATTORNEY	87	GRADE C128
4	(10)	<i>DEP PROS ATTY - ATTORNEY II</i>	<u>4</u>	<i>GRADE C119</i>
5		MAX. NO. OF EMPLOYEES	249	

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 7 SECTION 2. APPROPRIATION - DEPUTY PROSECUTING ATTORNEYS. There is
 8 hereby appropriated, to the Auditor of State, to be payable from the State
 9 Central Services Fund, for personal services and Special Deputy Expense
 10 Allowance of the Deputy Prosecuting Attorneys for the fiscal year ending June
 11 30, 2016, the following:

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

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 20 SECTION 3. APPROPRIATION - DEPUTY PROSECUTING ATTORNEYS - GIF. There
 21 is hereby appropriated, to the Auditor of State, to be payable from the
 22 General Improvement Fund or its successor fund or fund account, for personal
 23 services for the fiscal year ending June 30, 2016, the following:

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2015-2016</u>
27	(01) REGULAR SALARIES	\$142,216
28	(02) PERSONAL SERVICES MATCHING	<u>39,820</u>
29	TOTAL AMOUNT APPROPRIATED	<u><u>\$182,036</u></u>

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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. SPECIAL
 33 RATES OF PAY. Due to the need for competent deputy prosecuting attorneys
 34 throughout the state and the necessity of retaining qualified deputy
 35 prosecuting attorneys, the elected prosecuting attorneys, through the
 36 Prosecution Coordination Commission, are authorized to request special rates

1 of pay for current and new deputy prosecuting attorneys up to the levels
2 listed below for the following classifications:

3 TITLE	GRADE LEVEL
4 Dep. Pros. Atty-Attorney	C128 Career
5 Dep. Pros. Atty-Attorney Specialist	C129 Career
6 Dep. Pros. Atty-Attorney Supervisor	C130 Career

7 The provisions of this section shall be in effect only from July 1, ~~2014~~
8 2015 through June 30, ~~2015~~ 2016.

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10 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

12 LEGISLATIVE INTENT. It is the intent of the General Assembly, in the
13 transition to a state-funded deputy prosecuting attorney system, to provide
14 an appropriate and adequate level of legal representation through deputy
15 prosecuting attorneys in all areas of the state. It is recognized by the
16 General Assembly that in many areas of the state, resources have not been
17 available to support deputy prosecuting attorney salaries at the necessary
18 level. With the transition of local funding of deputy prosecuting attorney
19 salaries to state funding, it is not the intent of the General Assembly to
20 adversely affect those districts whose system has been working well or to
21 implement a system which is too inflexible to respond to the needs of each
22 judicial district. Therefore, the Prosecution Coordination Commission is
23 charged with the responsibility of assisting in the maintenance of a system
24 which equitably serves all areas of the state by providing quality deputy
25 prosecuting attorneys.

26 The provisions of this section shall be in effect only from July 1,
27 2015 through June 30, 2016.

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29 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
30 authorized by this act shall be limited to the appropriation for such agency
31 and funds made available by law for the support of such appropriations; and
32 the restrictions of the State Procurement Law, the General Accounting and
33 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
34 Procedures and Restrictions Act, or their successors, and other fiscal
35 control laws of this State, where applicable, and regulations promulgated by
36 the Department of Finance and Administration, as authorized by law, shall be

1 strictly complied with in disbursement of said funds.

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3 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
4 Assembly that any funds disbursed under the authority of the appropriations
5 contained in this act shall be in compliance with the stated reasons for
6 which this act was adopted, as evidenced by the Agency Requests, Executive
7 Recommendations and Legislative Recommendations contained in the budget
8 manuals prepared by the Department of Finance and Administration, letters, or
9 summarized oral testimony in the official minutes of the Arkansas Legislative
10 Council or Joint Budget Committee which relate to its passage and adoption.

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12 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
13 Assembly, that the Constitution of the State of Arkansas prohibits the
14 appropriation of funds for more than a one (1) year period; that the
15 effectiveness of this Act on July 1, 2015 is essential to the operation of
16 the agency for which the appropriations in this Act are provided, and that in
17 the event of an extension of the legislative session, the delay in the
18 effective date of this Act beyond July 1, 2015 could work irreparable harm
19 upon the proper administration and provision of essential governmental
20 programs. Therefore, an emergency is hereby declared to exist and this Act
21 being necessary for the immediate preservation of the public peace, health
22 and safety shall be in full force and effect from and after July 1, 2015.

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24 */s/Joint Budget Committee*
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