

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

A Bill

SENATE BILL 23

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
9 IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS PUBLIC
10 DEFENDER COMMISSION; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 AN ACT FOR THE ARKANSAS PUBLIC DEFENDER
14 COMMISSION REAPPROPRIATION.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. REAPPROPRIATION - JUVENILE OFFENDERS. There is hereby
21 appropriated, to the Arkansas Public Defender Commission, to be payable from
22 the General Improvement Fund or its successor fund or fund accounts, for the
23 Arkansas Public Defender Commission the following:

24 (A) Effective July 1, 2016, the balance of the appropriation provided
25 in Section 1 of Act 199 of 2015, for expenses related to the resentencing of
26 juveniles sentenced to mandatory life without parole by the Arkansas Public
27 Defender Commission, in a sum not to exceed.....\$2,500,000.
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29 SECTION 2. REGULAR SALARIES - TRIAL PUBLIC DEFENDER OFFICE. There is
30 hereby established for the Arkansas Public Defender Commission - Trial Public
31 Defender Office for the 2016-2017 fiscal year, the following maximum number
32 of regular employees.
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		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Year
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No.	Code	Title	Employees	2016-2017
(1)	G263C	PUBLIC DEFENDER	<u>3</u>	GRADE C119
		MAX. NO. OF EMPLOYEES	3	

SECTION 3. REAPPROPRIATION - TRIAL PUBLIC DEFENDER OFFICE. There is hereby appropriated, to the Arkansas Public Defender Commission, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Arkansas Public Defender Commission - Trial Public Defender Office the following:

(A) Effective July 1, 2016, the balance of the appropriation provided in Section 10 of Act 972 of 2015, for personal services of the Arkansas Public Defender Commission - Trial Public Defender Office, in a sum not to exceed.....\$136,527.

SECTION 4. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that institutions and agencies listed herein shall have the authority to accept and use grants and donations including Federal funds, and to use its unobligated cash income or funds, or both available to it, for the purpose of supplementing the State Treasury funds for financing the entire costs of the project or projects enumerated herein. Provided further, that the appropriations and funds otherwise provided by the General Assembly for Maintenance and General Operations of the agency or institutions receiving appropriation herein shall not be used for any of the purposes as appropriated in this act.

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

SECTION 5. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for
2 which this act was adopted, as evidenced by the Agency Requests, Executive
3 Recommendations and Legislative Recommendations contained in the budget
4 manuals prepared by the Department of Finance and Administration, letters, or
5 summarized oral testimony in the official minutes of the Arkansas Legislative
6 Council or Joint Budget Committee which relate to its passage and adoption.
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8 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
9 Assembly, that the Constitution of the State of Arkansas prohibits the
10 appropriation of funds for more than a one (1) year period; that the
11 effectiveness of this Act on July 1, 2016 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the legislative session, the delay in the
14 effective date of this Act beyond July 1, 2016 could work irreparable harm
15 upon the proper administration and provision of essential governmental
16 programs. Therefore, an emergency is hereby declared to exist and this Act
17 being necessary for the immediate preservation of the public peace, health
18 and safety shall be in full force and effect from and after July 1, 2016.
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