

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: S3/11/19

A Bill

SENATE BILL 62

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, 2020;
11 AND 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 2019-2020 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 2019-2020 fiscal year, the following maximum number of regular
25 employees.
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| Item | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2019-2020 |
|--------|---------------------------------------|--------------------------------|---|
| 31 (1) | SENIOR DEPUTY PROSECUTING ATTORNEY II | 3 | GRADE GS15 |
| 32 (2) | SENIOR DEPUTY PROSECUTING ATTORNEY I | 6 | GRADE GS14 |
| 33 (3) | DEP PROS ATTY - ATTORNEY SUPERVISOR | 40 | GRADE GS13 |
| 34 (4) | SPECIAL DEPUTY PROSECUTING ATTORNEY | 2 | GRADE GS13 |
| 35 (5) | DEP PROS ATTY - ATTORNEY SPECIALIST | 34 | GRADE GS12 |
| 36 (6) | DEP PROS ATTY - ATTORNEY | 99 | GRADE GS11 |



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|---|-----|--|-----------|------------|
| 1 | (7) | DEP PROS ATTY - ATTORNEY PART-TIME III | 15 | GRADE GS11 |
| 2 | (8) | DEP PROS ATTY - ATTORNEY PART-TIME II | 8 | GRADE GS10 |
| 3 | (9) | DEP PROS ATTY - ATTORNEY PART-TIME I | <u>51</u> | GRADE GS09 |
| 4 | | MAX. NO. OF EMPLOYEES | 258 | |

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6 SECTION 2. APPROPRIATION - DEPUTY PROSECUTING ATTORNEYS. There is
7 hereby appropriated, to the Auditor of State, to be payable from the State
8 Central Services Fund, for personal services and Special Deputy Expense
9 Allowance of the Deputy Prosecuting Attorneys for the fiscal year ending June
10 30, 2020, the following:

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| 12 | ITEM | FISCAL YEAR |
|----|---------------------------------------|---------------------|
| 13 | <u>NO.</u> | <u>2019-2020</u> |
| 14 | (01) REGULAR SALARIES | \$19,150,000 |
| 15 | (02) PERSONAL SERVICES MATCHING | 5,713,641 |
| 16 | (03) SPECIAL DEPUTY EXPENSE ALLOWANCE | <u>4,800</u> |
| 17 | TOTAL AMOUNT APPROPRIATED | <u>\$24,868,441</u> |

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19 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

35 The provisions of this section shall be in effect only from July 1, ~~2018~~
36 2019 through June 30, ~~2019~~ 2020.

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2 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
3 authorized by this act shall be limited to the appropriation for such agency
4 and funds made available by law for the support of such appropriations; and
5 the restrictions of the State Procurement Law, the General Accounting and
6 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
7 Procedures and Restrictions Act, or their successors, and other fiscal
8 control laws of this State, where applicable, and regulations promulgated by
9 the Department of Finance and Administration, as authorized by law, shall be
10 strictly complied with in disbursement of said funds.

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

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21 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
22 Assembly, that the Constitution of the State of Arkansas prohibits the
23 appropriation of funds for more than a one (1) year period; that the
24 effectiveness of this Act on July 1, 2019 is essential to the operation of
25 the agency for which the appropriations in this Act are provided, and that in
26 the event of an extension of the legislative session, the delay in the
27 effective date of this Act beyond July 1, 2019 could work irreparable harm
28 upon the proper administration and provision of essential governmental
29 programs. Therefore, an emergency is hereby declared to exist and this Act
30 being necessary for the immediate preservation of the public peace, health
31 and safety shall be in full force and effect from and after July 1, 2019.

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34 /s/ Joint Budget Committee
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