

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001

# A Bill

SENATE BILL 709

4  
5 By: Senator Everett  
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## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE ARKANSAS PUBLIC  
11 DEFENDER COMMISSION - TRIAL PUBLIC DEFENDER OFFICE;  
12 TO ESTABLISH THE TRIAL PUBLIC DEFENDER TRUST FUND;  
13 PROVIDE FOR THE TRANSFER OF FUNDS; AND FOR OTHER  
14 PURPOSES.

## Subtitle

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18 AN ACT FOR THE ARKANSAS PUBLIC DEFENDER  
19 COMMISSION - TRIAL PUBLIC DEFENDER  
20 OFFICE APPROPRIATION FOR THE 2001-2003  
21 BIENNIAL.

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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. APPROPRIATION - TRIAL PUBLIC DEFENDER OFFICE. There is hereby  
27 appropriated, to the Arkansas Public Defender Commission, to be payable from  
28 the State Central Services Fund, for personal services and operating expenses  
29 of the Arkansas Public Defender Commission - Trial Public Defender Office for  
30 the biennial period ending June 30, 2003, the following:  
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ITEM	FISCAL YEARS	
NO.	2001-2002	2002-2003
(01) FOR PERSONAL SERVICES AND OPERATING EXPENSES OF THE TRIAL PUBLIC DEFENDER OFFICE	<u>\$ 1,000,000</u>	<u>\$ 1,000,000</u>

SECTION 2. APPROPRIATION - TRIAL PUBLIC DEFENDER OFFICE. There is hereby appropriated, to the Arkansas Public Defender Commission, to be payable from the State Central Services Fund, from interest earnings transferred from time to time from the Trial Public Defender Trust Fund, for personal services and operating expenses of the Arkansas Public Defender Commission - Trial Public Defender Office for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE TRIAL PUBLIC DEFENDERS OFFICE	\$ 800,000	\$ 800,000

SECTION 3. SPECIAL LANGUAGE. SPECIAL LANGUAGE. TRIAL PUBLIC DEFENDER TRUST FUND ESTABLISHED. There is hereby established on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State a trust fund to be known as the Trial Public Defender Trust Fund. The Trial Public Defender Trust Fund shall consist of those monies transferred from the State Administration of Justice Fund as authorized by law.

From time to time, as certified by the Director of the Public Defender Commission to the Treasurer of State, the Treasurer of State shall transfer those moneys accruing to the Trial Public Defender Trust Fund solely from interest earnings to the State Central Services Fund as a direct revenue.

The interest earnings transferred from the Trial Public Defender Trust Fund to the State Central Services Fund shall be administered by the Public Defender Commission and utilized for no other purpose than for funding appropriations authorized by the General Assembly for the Trial Public Defender Office of the Public Defender Commission.

SECTION 4. SPECIAL LANGUAGE. FUND TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal Officer of the State shall transfer on his books and those of the Treasurer of State and Auditor of State the sum of eight million dollars (\$8,000,000) from the State Administration of Justice Fund to the Trial Public Defender Trust Fund.

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

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

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 20 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
 21 Assembly, that the Constitution of the State of Arkansas prohibits the  
 22 appropriation of funds for more than a two (2) year period; that the  
 23 effectiveness of this Act on the date of its passage and approval is  
 24 essential to the operation of the agency for which the appropriations in this  
 25 Act are provided, and that in the event of an extension of the Regular  
 26 Session, the delay in the effective date of this Act beyond the date of its  
 27 passage and approval could work irreparable harm upon the proper  
 28 administration and provision of essential governmental programs. Therefore,  
 29 an emergency is hereby declared to exist and this Act being necessary for the  
 30 immediate preservation of the public peace, health and safety shall be in  
 31 full force and effect from and after the date of its passage and approval.  
 32 If the bill is neither approved nor vetoed by the Governor, it shall become  
 33 effective on the expiration of the period of time during which the Governor  
 34 may veto the bill. If the bill is vetoed by the Governor and the veto is  
 35 overridden, it shall become effective on the date the last house overrides  
 36 the veto.

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