

State of Arkansas
89th General Assembly
Fiscal Session, 2014

A Bill

SENATE BILL 134

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES FOR THE ARKANSAS PUBLIC DEFENDER COMMISSION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1394 OF 2013; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS PUBLIC DEFENDER COMMISSION SUPPLEMENTAL APPROPRIATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Arkansas Public Defender Commission, to be payable from the State Central Services Fund, for operating expenses of the Arkansas Public Defender Commission - State Operations which shall be supplemental and in addition to those funds appropriated in Section 3 of Act 1394 of 2013, the following:

ITEM	FISCAL YEAR
NO.	2013-2014
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$0
(B) CONF. & TRAVEL	0
(C) PROF. FEES	100,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>



TOTAL AMOUNT APPROPRIATED

\$100,000

SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROVIDING PUBLIC DEFENDER SERVICES AGREEMENT. The Public Defender Commission shall have the authority to enter into a professional services agreement with a person who is serving as a public defender or employed as an attorney with a state agency when the employee has been appointed to provide defense representation services by a judge. The total of the professional services contract and the attorney's salary cannot exceed twenty-five percent (25%) above the maximum of the pay grade of the employee's position.

The provisions of this section shall be in effect only from July 1, 2013 through June 30, 2014.

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

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

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that funds provided by the General Assembly for the operations of the Arkansas Public Defender Commission are, due to unforeseen circumstances,

insufficient for the Arkansas Public Defender Commission to continue to provide essential governmental services; that the provisions of this act will provide the necessary monies for the Arkansas Public Defender Commission to continue such services; and that a delay in the effective date of this Act could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval.

If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.