

Stricken language will be deleted and underlined language will be added.

State of Arkansas
90th General Assembly
Fiscal Session, 2016

A Bill

SENATE BILL 23

By: Joint Budget Committee

For An Act To Be Entitled

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

Subtitle

AN ACT FOR THE ARKANSAS PUBLIC DEFENDER
COMMISSION REAPPROPRIATION.

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

SECTION 1. REAPPROPRIATION - JUVENILE OFFENDERS. 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 the following:

(A) Effective July 1, 2016, the balance of the appropriation provided in Section 1 of Act 199 of 2015, for expenses related to the resentencing of juveniles sentenced to mandatory life without parole by the Arkansas Public Defender Commission, in a sum not to exceed.....\$2,500,000.

SECTION 2. REGULAR SALARIES - TRIAL PUBLIC DEFENDER OFFICE. There is hereby established for the Arkansas Public Defender Commission - Trial Public Defender Office for the 2016-2017 fiscal year, the following maximum number of regular employees.

Item	Class	Maximum No. of	Maximum Annual Salary Rate 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

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 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2016 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2016 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 July 1, 2016.