

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 84th General Assembly
3 Regular Session, 2003

A Bill

SENATE BILL 203

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
11 PUBLIC DEFENDER COMMISSION FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2005; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE ARKANSAS PUBLIC DEFENDER
17 COMMISSION APPROPRIATION FOR THE
18 2003-2005 BIENNIUM.
19
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby
25 established for the Arkansas Public Defender Commission - State Operations
26 for the 2003-2005 biennium, the following maximum number of regular employees
27 whose salaries shall be governed by the provisions of the Uniform
28 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
29 its successor, and all laws amendatory thereto. Provided, however, that any
30 position to which a specific maximum annual salary is set out herein in
31 dollars, shall be exempt from the provisions of said Uniform Classification
32 and Compensation Act. All persons occupying positions authorized herein are
33 hereby governed by the provisions of the Regular Salaries Procedures and
34 Restrictions Act (Arkansas Code §21-5-101), or its successor.
35

36 Maximum Annual



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Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Years	
				2003-2004	2004-2005
1	(1)	8914 PUBLIC DEF COMM EXEC DIRECTOR	1	\$83,488	\$85,474
2	(2)	R038 ATTORNEY SUPERVISOR	2	GRADE 26	
3	(3)	R170 ATTORNEY SPECIALIST	5	GRADE 25	
4	(4)	X301 PUB DEF COMM INVESTIGATOR	2	GRADE 22	
5	(5)	R298 AGENCY PROGRAM COORDINATOR	1	GRADE 21	
6	(6)	R093 MITIGATION SPECIALIST	1	GRADE 20	
7	(7)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
8	(8)	R440 BUSINESS CONTROLLER II	1	GRADE 16	
9	(9)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	<u>1</u>	GRADE 14	
10	MAX. NO. OF EMPLOYEES		15		

SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for the Arkansas Public Defender Commission - State Operations for the 2003-2005 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: three (3) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Arkansas Public Defender Commission, to be payable from the State Central Services Fund, for personal services and operating expenses of the Arkansas Public Defender Commission - State Operations for the biennial period ending June 30, 2005, the following:

ITEM NO.		FISCAL YEARS	
		2003-2004	2004-2005
(01)	REGULAR SALARIES	\$ 741,305	\$ 741,305
(02)	EXTRA HELP	12,000	12,000
(03)	PERSONAL SERVICE MATCH	176,543	176,543
(04)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	180,093	180,093

1	(B) CONF. & TRAVEL	17,000	17,000
2	(C) PROF. FEES	96,000	96,000
3	(D) CAP. OUTLAY	0	0
4	(E) DATA PROC.	<u>0</u>	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,222,941</u>	<u>\$ 1,222,941</u>

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7 SECTION 4. REGULAR SALARIES - TRIAL PUBLIC DEFENDER OFFICE. There is
 8 hereby established for the Arkansas Public Defender Commission - Trial Public
 9 Defender Office for the 2003-2005 biennium, the following maximum number of
 10 regular employees whose salaries shall be governed by the provisions of the
 11 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
 12 seq.), or its successor, and all laws amendatory thereto. Provided, however,
 13 that any position to which a specific maximum annual salary is set out herein
 14 in dollars, shall be exempt from the provisions of said Uniform
 15 Classification and Compensation Act. All persons occupying positions
 16 authorized herein are hereby governed by the provisions of the Regular
 17 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
 18 successor.

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20			Maximum Annual		
21			Maximum	Salary Rate	
22	Item	Class	No. of	Fiscal Years	
23	No.	Code Title	Employees	2003-2004	2004-2005
24	(1)	9037 CHIEF PUBLIC DEFENDER	6	\$81,600	\$83,550
25	(2)	R015 CLASS A PUBLIC DEFENDER	28	GRADE 26	
26	(3)	011Z PUB DEF DEFENSE SVCS ADMIN	1	GRADE 25	
27	(4)	R016 CLASS B CHIEF PUBLIC DEFENDER	5	GRADE 25	
28	(5)	R029 CLASS B PUBLIC DEFENDER	92	GRADE 24	
29	(6)	008Z PUB DEFENDER NETWORK ADMINSTRATOR	1	GRADE 23	
30	(7)	R047 PUBLIC DEFENDER PERSONNEL MANAGER	1	GRADE 22	
31	(8)	R093 MITIGATION SPECIALIST	1	GRADE 20	
32	(9)	X308 PUBLIC DEFENDER INVESTIGATOR	5	GRADE 20	
33	(10)	R204 PARALEGAL/LEGAL ASSISTANT	2	GRADE 19	
34	(11)	K017 PUBLIC DEFENDER SECRETARY II	<u>47</u>	GRADE 15	
35		MAX. NO. OF EMPLOYEES	189		

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SECTION 5. EXTRA HELP - TRIAL PUBLIC DEFENDER OFFICE. There is hereby authorized, for the Arkansas Public Defender Commission - Trial Public Defender Office for the 2003-2005 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: three (3) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 6. APPROPRIATION - TRIAL PUBLIC DEFENDER OFFICE. There is hereby appropriated, to the Arkansas Public Defender Commission, to be payable from the State Central Services Fund, for personal services and operating expenses of the Arkansas Public Defender Commission - Trial Public Defender Office for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 9,433,755	\$ 9,433,755
(02) EXTRA HELP	15,000	15,000
(03) PERSONAL SERVICE MATCH	2,230,657	2,230,657
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	60,000	60,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	750,000	750,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 12,489,412</u>	<u>\$ 12,489,412</u>

SECTION 7. REGULAR SALARIES - OMBUDSMAN PROGRAM. There is hereby established for the Arkansas Public Defender Commission - Ombudsman Program for the 2003-2005 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification

1 and Compensation Act. All persons occupying positions authorized herein are
 2 hereby governed by the provisions of the Regular Salaries Procedures and
 3 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				2003-2004	2004-2005
9	(1) M018	PUBLIC DEF OMBUDSMAN COORDINATOR	1	GRADE 22	
10	(2) M030	PUBLIC DEFENDER OMBUDSMAN/SW	5	GRADE 20	
11	(3) K017	PUBLIC DEFENDER SECRETARY II	<u>1</u>	GRADE 15	
12	MAX. NO. OF EMPLOYEES		7		

14 SECTION 8. APPROPRIATION - OMBUDSMAN PROGRAM. There is hereby
 15 appropriated, to the Arkansas Public Defender Commission, to be payable from
 16 the State Central Services Fund, for personal services of the Arkansas Public
 17 Defender Commission - Ombudsman Program for the biennial period ending June
 18 30, 2005, the following:

ITEM NO.		FISCAL YEARS	
		2003-2004	2004-2005
22	(01) REGULAR SALARIES	\$ 233,484	\$ 233,484
23	(02) PERSONAL SERVICE MATCH	<u>62,051</u>	<u>62,051</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 295,535</u>	<u>\$ 295,535</u>

26 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FEES. FEE
 28 GENERATION AND SUPPORT. Unless specified otherwise in Arkansas Code §5-4-
 29 303(g) and Arkansas Code 16-87-213 the monies collected by the courts under
 30 the authority of §5-4-303(g) and 16-87-213 shall be deposited into the State
 31 Treasury to the credit of the State Central Services Fund.

32 In the event that the law requires that the fees levied under §5-4-303(g)
 33 be deposited into the State Administration of Justice Fund, the State
 34 Treasurer shall transfer the amount of the fees collected each month under
 35 the authority of Arkansas Code §5-4-303(g) from the State Administration of
 36 Justice Fund to the State Central Services Fund.

1 The provisions of this section shall be in effect only from July 1, ~~2001~~ 2003
 2 through June 30, ~~2003~~ 2005.

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

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

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 23 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General
 24 Assembly, that the Constitution of the State of Arkansas prohibits the
 25 appropriation of funds for more than a two (2) year period; that the
 26 effectiveness of this Act on July 1, 2003 is essential to the operation of
 27 the agency for which the appropriations in this Act are provided, and that in
 28 the event of an extension of the Regular Session, the delay in the effective
 29 date of this Act beyond July 1, 2003 could work irreparable harm upon the
 30 proper administration and provision of essential governmental programs.
 31 Therefore, an emergency is hereby declared to exist and this Act being
 32 necessary for the immediate preservation of the public peace, health and
 33 safety shall be in full force and effect from and after July 1, 2003.