

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

SENATE BILL 405

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

8 AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS
9 PUBLIC DEFENDER COMMISSION FOR CAPITAL IMPROVEMENT
10 PROJECTS; AND FOR OTHER PURPOSES.
11

Subtitle

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13 AN ACT FOR THE ARKANSAS PUBLIC DEFENDER
14 COMMISSION - CAPITAL IMPROVEMENT PROJECTS
15 GENERAL IMPROVEMENT APPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. APPROPRIATION - JUVENILE OFFENDERS. There is hereby
22 appropriated, to the Arkansas Public Defender Commission, to be payable from
23 the General Improvement Fund or its successor fund or fund accounts, for
24 expenses related to the resentencing of juveniles sentenced to mandatory life
25 without parole by the Arkansas Public Defender Commission for the fiscal year
26 ending June 30, 2014, the sum of.....\$2,500,000.
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28 SECTION 2. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
29 obligations otherwise incurred in relation to the project or projects
30 described herein in excess of the State Treasury funds actually available
31 therefor as provided by law. Provided, however, that institutions and
32 agencies listed herein shall have the authority to accept and use grants and
33 donations including Federal funds, and to use its unobligated cash income or
34 funds, or both available to it, for the purpose of supplementing the State
35 Treasury funds for financing the entire costs of the project or projects
36 enumerated herein. Provided further, that the appropriations and funds



1 otherwise provided by the General Assembly for Maintenance and General
2 Operations of the agency or institutions receiving appropriation herein shall
3 not be used for any of the purposes as appropriated in this act.

4 (B) The restrictions of any applicable provisions of the State Purchasing
5 Law, the General Accounting and Budgetary Procedures Law, the Revenue
6 Stabilization Law and any other applicable fiscal control laws of this State
7 and regulations promulgated by the Department of Finance and Administration,
8 as authorized by law, shall be strictly complied with in disbursement of any
9 funds provided by this act unless specifically provided otherwise by law.

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11 SECTION 3. LEGISLATIVE INTENT. It is the intent of the General
12 Assembly that any funds disbursed under the authority of the appropriations
13 contained in this act shall be in compliance with the stated reasons for
14 which this act was adopted, as evidenced by the Agency Requests, Executive
15 Recommendations and Legislative Recommendations contained in the budget
16 manuals prepared by the Department of Finance and Administration, letters, or
17 summarized oral testimony in the official minutes of the Arkansas Legislative
18 Council or Joint Budget Committee which relate to its passage and adoption.

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20 SECTION 4. 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 one (1) year period; that the
23 effectiveness of this Act on July 1, 2013 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the legislative session, the delay in the
26 effective date of this Act beyond July 1, 2013 could work irreparable harm
27 upon the proper administration and provision of essential governmental
28 programs. Therefore, an emergency is hereby declared to exist and this Act
29 being necessary for the immediate preservation of the public peace, health
30 and safety shall be in full force and effect from and after July 1, 2013.