

Act 43 of the 1989 Regular Session.

Act 43

HB1166

By: Joint Budget Committee

"AN ACT TO MAKE AN APPROPRIATION FOR THE EXECUTIVE, JUDICIAL AND LEGISLATIVE BRANCHES OF THE STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1991; AND FOR OTHER PURPOSES."

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

SECTION 1. APPROPRIATIONS. There is hereby appropriated, to be payable from the Constitutional Officers Fund, for personal services and expenses of the various Constitutional Officers for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(1) Salary of Governor	\$35,000	\$35,000
(2) Salary of Lieutenant Governor	14,000	14,000
(3) Salary of Secretary of State	22,500	22,500
(4) Salary of Attorney General	26,500	26,500
(5) Salary of Treasurer of State	22,500	22,500
(6) Salary of Commissioner of State Lands	22,500	22,500
(7) Salary of Auditor of State	22,500	22,500
(8) Salary of Supreme Court Chief Justice	73,667	75,508
(9) Salaries of Six Supreme Court Associate Justices of \$67,660 for 1989-90 and \$69,352 for 1990-91	405,960	416,112
(10) Housing & Transportation Expenses of Supreme Court Justices, as authorized by law	46,200	46,200
(11) Salary of Court of Appeals Chief Judge	66,509	68,172
(12) Salary of Five Court of Appeals Judges of \$65,357 for 1989-90 and \$66,991 for 1990-91	326,785	334,955
(13) Housing & Transportation Expenses of Court of Appeals Judges, as authorized by law	39,600	39,600
(14) Salaries of Seventy-Six Circuit/Chancery Judges of \$63,051 for 1989-90 and \$64,627 for 1990-91	4,791,876	4,911,652
(15) Salaries of Fourteen Prosecuting Attorneys - Div. A of \$57,227 for 1989-90 and \$58,657 for 1990-91	801,178	821,198
(16) Salaries of Ten Prosecuting Attorneys - Div. B of \$47,627 for 1989-90 and \$48,817 for 1990-91	476,270	488,170
(17) Expenses of Circuit/Chancery Judges, as authorized by law	531,600	531,600
(18) Special and Recalled Judges for the Circuit and Chancery Courts	60,000	60,000
(19) Salary of the Speaker of the House of Representatives	10,000	10,000
(20) Salaries of Ninety-Nine Representatives of \$7,500 each per year	742,500	742,500
(21) Salary of President Pro Tempore of the Senate	10,000	10,000
(22) Salaries of Thirty-Four Senators of \$7,500 each per year	255,000	255,000
(23) Personal Services Matching	1,225,870	1,294,966

(24) Interim Expenses for Representatives, as authorized by law	763,200	793,500
(25) Interim Expenses for Senators, as authorized by law	<u>300,600</u>	<u>311,400</u>
TOTAL AMOUNT APPROPRIATED	\$11,092,315	\$11,376,033

SECTION 2. The Auditor of State shall be disbursing officer for the funds appropriated in Items (1) through (23) of Section 1 herein.

SECTION 3. The Coordinator of House Legislative Services of the House of Representatives shall be disbursing officer for the funds appropriated in Item (24) of Section 1 herein.

SECTION 4. The Secretary of the Senate shall be disbursing officer for the funds appropriated in Item (25) of Section 1 herein.

SECTION 5. RESTRICTIONS. None of the funds appropriated by the Arkansas General Assembly shall be used to establish or maintain the State's involvement in a statewide voter registration listing unless an appropriation is established specifically for that purpose.

SECTION 6. HOUSING, TRANSPORTATION AND OTHER EXPENSES - SUPREME COURT. The General Assembly recognizes that each judge of the Arkansas Supreme Court incurs considerable expense in carrying out his or her responsibilities to the people of the State of Arkansas, including expenses for housing; the purchase and maintenance of an automobile; the acquisition, maintenance and equipping of a home-office where the judge can work nights, weekends and other times when it is inappropriate or impractical to work in his or her regular office; for attending bar, civic and social meetings and in otherwise carrying out their responsibilities as judges of the Arkansas Supreme Court; and that said judges should be entitled to a monthly expense allowance to cover such expenses.

The funds appropriated by Item (10) of Section 1 herein may be used by each judge of the Arkansas Supreme Court to cover his expenses. The monthly allowance for fiscal year 1989-90 shall not exceed \$550 per month and for fiscal year 1990-91 shall not exceed \$550 per month.

The amount prescribed herein shall be paid monthly upon vouchers submitted by such judges, with each such voucher to state only that it is for expenses incurred by such judge in carrying out his or her responsibilities to the people of the State as described herein.

Upon receipt of each such voucher, the Auditor of State shall issue a warrant payable to the judge claiming such expense allowance and the State Treasurer is hereby authorized to pay the same from the funds appropriated for such purpose. The balance of the appropriation for housing and transportation which remains at the close of business of the fiscal year ending June 30, 1990, shall be carried forward into the fiscal year ending June 30, 1991, there to be used for the same purpose.

SECTION 7. HOUSING, TRANSPORTATION AND OTHER EXPENSES - COURT OF APPEALS. The General Assembly recognizes that each judge of the Arkansas Court of Appeals incurs considerable expense in carrying out his or her responsibilities to the people of the State of Arkansas, including expenses for housing; the purchase and maintenance of an automobile; the acquisition, maintenance and equipping of a home-office where the judge can work nights, and other times when it is inappropriate or impractical to work in his or her regular office; for attending bar, civic and social meetings and in otherwise

carrying out their responsibilities as judges of the Arkansas Court of Appeals; and that said judges should be entitled to an expense allowance to cover such expenses.

The funds appropriated by Item (13) of Section 1 herein may be used by each judge of the Arkansas Court of Appeals to cover his expenses. The monthly allowance for fiscal year 1989-90 shall not exceed \$550 per month and for fiscal year 1990-91 shall not exceed \$550 per month.

The amount prescribed herein shall be paid monthly upon vouchers submitted by such judges, with each such voucher to state only that it is for expenses incurred by such judge in carrying out his or her responsibilities to the people of the State as described herein.

Upon receipt of each such voucher, the Auditor of State shall issue a warrant payable to the judge claiming such expense allowance and the State Treasurer is hereby authorized to pay the same from the funds appropriated for such purpose. The balance of the appropriation for housing and transportation which remains at the close of business of the fiscal year ending June 30, 1990, shall be carried forward into the fiscal year ending June 30, 1991, there to be used for the same purpose.

SECTION 8. Arkansas Code 16-10-119 is hereby amended to read as follows: "16-10-119. Expenses of judges.

(a) (1) In addition to the salary provided by law, judges of the courts of general jurisdiction of the state shall receive as an expense allowance, six thousand six hundred dollars (\$6,600) for the fiscal year ending June 30, 1990, and six thousand six hundred dollars (\$6,600) for the fiscal year ending June 30, 1991, or in the alternative, shall be reimbursed for any and all reasonable expenses in performance of judicial duties as shall be necessary for the proper administration of justice, but this amount shall not include any office rental.

(2) Each judge shall elect his method of expense reimbursement.

(b) Whether the judge chooses to receive the specified amounts or to be reimbursed for actual expenses, payments are to be made in monthly installments by the State of Arkansas, through its Auditor of State through funds appropriated for that purpose and separate from that for salary as that provided by law.

(c) (1) In the event of assignment by the Chief Justice to duties outside of his district of residence, each judge shall be reimbursed for actual travel expenses in connection with that assignment in addition to the expense allowance.

(2) The fact of the assignment shall be certified to the Auditor of State by the Executive Secretary of the Judicial Department.

(3) The Auditor of State shall draw his warrant for the amount of such expense payments, and the certificate of the court shall be a sufficient voucher. However, the allowance for mileage expense shall be at the rate set for state employees."

SECTION 9. The appropriations authorized in Item (24) of Section 1 shall be used for making reimbursements for interim expenses incurred by members of the House of Representatives.

SECTION 10. The appropriations authorized in Item (25) of Section 1 shall be used for making reimbursements for interim expenses incurred by members of the Senate.

SECTION 11. Arkansas Code 10-2-213(2) is hereby amended to read as follows:

"(2) The maximum amount of reimbursement for interim expenses incurred by

members of the Senate and the House of Representatives, as authorized by 10-2-211 - 10-2-213, shall be six hundred dollars (\$600) per month for fiscal year 1989-90 and six hundred twenty-five dollars (\$625) per month for fiscal year 1990-91 and each fiscal year thereafter.

SECTION 12. Arkansas Code 10-2-215 is hereby amended to read as follows:

"10-2-215. Additional compensation for committee chairmen and co-chairmen.

In addition to the interim expense allowance provided by 10-2-211 - 10-2-213 and all laws amendatory and supplemental thereto, the chairman of each of the standing, select, and joint committees of either house of the General Assembly and the co-chairman of any committee of the General Assembly which does not function during the legislative session shall be eligible to receive an additional one hundred fifty dollars (\$150) per month. This additional allowance shall be paid from the same funds and appropriation and in the same manner as provided for the allowances authorized by 10-2-211 - 10-2-213, and all laws amendatory and supplemental thereto."

SECTION 13. The President Pro Tempore of the Senate shall be eligible to receive a transportation allowance of four hundred fifty dollars (\$450) per month. This additional allowance shall be paid from the same funds and appropriation and in the same manner as provided for the allowances authorized by 10-2-211 - 10-2-213, and all laws amendatory and supplemental thereto.

SECTION 14. Section 2 of Act 1 of 1989 is hereby amended to include the following new item:

"(4) Senate Assistant Fiscal Officer at a maximum annual salary of \$22,386."

SECTION 15. 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 16. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 17. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 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 Regular Session, the delay in the effective date of this Act beyond July 1, 1989 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, 1989.

APPROVED: February 13, 1989
