

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representatives Barclay, Landers and Mahony**

.As Engrossed: 3/12/91 3/13/91

A BILL ACT 969 OF 1991

HOUSE BILL 2122

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH THE PROCEDURE FOR REIMBURSING MEMBERS
9 OF THE GENERAL ASSEMBLY FOR LEGISLATIVE EXPENSES AND PER
10 DIEM AND MILEAGE; AND FOR OTHER PURPOSES."

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

14 SECTION 1. Arkansas Code 10-2-212 is hereby amended to read as follows:

15 "10-2-212. Reimbursable expenses.

16 (a) *A member of the Arkansas House of Representatives may seek*
17 *reimbursement for legislative expenses incurred as authorized by law by filing*
18 *a signed statement of expenses incurred during each calendar month. Claims*
19 *for reimbursement for expenses incurred shall be filed with the Coordinator of*
20 *House Legislative Services and shall be paid from the funds appropriated for*
21 *such purposes for the use of the House of Representatives. The Speaker of the*
22 *House of Representatives is hereby authorized to establish the method of*
23 *reimbursing members of the House for ordinary and necessary expenses incurred*
24 *in the performance of their duties as members of the General Assembly. The*
25 *Speaker shall within the limitations of the Arkansas Constitution and Internal*
26 *Revenue Service guidelines determine which expenditures constitute ordinary*
27 *and necessary expenses and the amount of per diem and mileage reimbursement to*
28 *be paid from House appropriations. The Speaker shall notify the House*
29 *disbursing officer regarding the Speaker's actions under this subsection.*
30 *This subsection does not apply to per diem, mileage and expense reimbursements*
31 *paid from funds disbursed by the Legislative Auditor or the Director of the*
32 *Bureau of Legislative Research.*

33 (b) *A member of the Arkansas Senate may seek reimbursement for*
34 *legislative expenses incurred as authorized by law by filing a signed*
35 *statement of expenses incurred during each calendar month. Claims for*
36 *reimbursement for expenses incurred shall be filed with the Secretary of the*
37 *Senate and shall be paid from the funds appropriated for such purposes for the*

1 *use of the Arkansas Senate. The Senate Efficiency Committee is hereby*
2 *authorized to establish the method of reimbursing members of the Senate for*
3 *ordinary and necessary expenses incurred in the performance of their duties as*
4 *members of the General Assembly. The Efficiency Committee shall within the*
5 *limitations of the Arkansas Constitution and Internal Revenue Service*
6 *guidelines determine which expenditures constitute ordinary and necessary*
7 *expenses and the amount of per diem and mileage reimbursement to be paid from*
8 *Senate appropriations. This subsection does not apply to per diem, mileage*
9 *and expense reimbursements paid from funds disbursed by the Legislative*
10 *Auditor or the Director of the Bureau of Legislative Research.*

11 (c) Except as otherwise provided by law, the maximum amount of
12 reimbursement for legislative expenses incurred by members of the General
13 Assembly shall be, at the option of each member, either five thousand eight
14 hundred twenty dollars (\$5,820) per year, six thousand five hundred forty
15 dollars (\$6,540) per year or seven thousand two hundred dollars (\$7,200) per
16 year.

17 (d) Any member of the General Assembly may elect not to receive per
18 diem and mileage payments for attending legislative sessions and for
19 legislative activities and in lieu thereof be reimbursed up to an additional
20 three thousand dollars (\$3,000) per year. Such election shall be made in
21 writing to the presiding officer of the legislative body to which the member
22 is elected. The election must occur prior to adjournment of the 1991 regular
23 session and prior to fifth (5th) day of succeeding regular sessions and the
24 election shall remain in effect until a subsequent election is made at the
25 next regular session.

26 (e) *No member of the General Assembly shall file with the House or*
27 *Senate claims for reimbursement for expenses in excess of the maximum amount*
28 *prescribed by law."*

29

30 SECTION 2. Arkansas Code 10-2-123(c) (1) is hereby amended to read as
31 follows:

32 "(c) (1) Members of the preceding General Assembly who have been
33 reelected to a new term in either house of the General Assembly, and the newly
34 elected members of the House of Representatives and Senate shall be eligible
35 to attend the biennial Institute of Legislative Procedure and shall be

1 entitled, upon filing claim therefor, to per diem in the amount fixed by law
2 for members of the General Assembly to receive for attendance at legislative
3 sessions, per day for each day in attending the biennial Institute of
4 Legislative Procedure, but in no event to exceed three (3) days per member,
5 plus mileage in traveling from their place of residence to the biennial
6 Institute of Legislative Procedure and return."

7
8 "SECTION 3. Arkansas Code 10-2-215 is hereby amended to read as
9 follows:

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

12 In addition to the expense allowance provided by § 10-2-212 and all laws
13 amendatory and supplemental thereto, the chairman of each of the standing,
14 select, and joint committees of either house of the General Assembly and the
15 co-chairman of any committee of the General Assembly which does not function
16 during the legislative session shall be eligible to receive an additional one
17 thousand eight hundred dollars (\$1,800) per year. This additional allowance
18 shall be paid from the same funds and appropriation and in the same manner as
19 provided for the allowances authorized by § 10-2-212, and all laws amendatory
20 and supplemental thereto."

21

22 SECTION 4. Arkansas Code 10-2-217(a) (1) is hereby amended to read as
23 follows:

24 "(a) (1) Members, or alternate members serving as members, of the
25 interim committees of the General Assembly, as defined in subsection (b) of
26 this section, and members of the General Assembly who shall perform 'other
27 interim legislative duties as authorized by law', as defined in subsection
28 (b) of this section, shall be entitled to receive per diem and mileage
29 reimbursement in the amount prescribed by the Legislative Council not to
30 exceed the amount as prescribed by regulations of the Internal Revenue
31 Service."

32

33 SECTION 5. Arkansas Code 10-3-212(b) is hereby amended to read as
34 follows:

35 "(b) The members of the two (2) committees shall be entitled to receive

1 per diem at the rate set for attendance at meetings of the joint interim
2 committees of the House and Senate for attending joint or separate meetings of
3 the committees. Members shall also be entitled to mileage reimbursement as
4 provided by law."

5

6 SECTION 6. Arkansas Code 10-3-1101(b)(2) is hereby amended to read as
7 follows:

8 "(b)(2) In addition thereto, the committee shall receive mileage for
9 travel from their homes to the State Capitol Building."

10

11 SECTION 7. Section 6(a) of Act 30 of 1991 is hereby amended to read as
12 follows:

13 "(a) The Arkansas Legislative Council and the Legislative Joint
14 Auditing Committee shall cooperate in jointly sponsoring a biennial Institute
15 of Legislative Procedure to carry out the aforementioned purposes. Members of
16 the preceding General Assembly who have been re-elected to a new term in
17 either house of the General Assembly, and newly-elected members of the House
18 of Representatives and Arkansas Senate, shall be eligible to attend the
19 biennial Institute of Legislative Procedure and shall be entitled, upon filing
20 a claim therefor, to per diem in the amount fixed by law for payment to
21 members of the General Assembly for attendance at legislative sessions per day
22 for each day in attending the biennial Institute of Legislative Procedure, but
23 in no event to exceed three (3) days per member, plus mileage in traveling
24 from their place of residence to the biennial Institute of Legislative
25 Procedure and return. Per diem and mileage for members of the General
26 Assembly and newly-elected members of the General Assembly for attending the
27 biennial Institute of Legislative Procedure shall be paid by their respective
28 houses from the monies appropriated therefor."

29

30 SECTION 8. Section 7(A) of Act 134 of 1991 is hereby amended to read as
31 follows:

32 "(A) The General Assembly hereby determines that the conducting of an
33 Institute of Legislative Procedure prior to the convening of regular Sessions
34 of the General Assembly on rules and legislative procedure and current fiscal
35 conditions and other problems in state government, is essential to the proper

1 immediately in order to allow the House and Senate to comply with federal
2 regulations as soon as possible. Therefore, an emergency is hereby declared
3 to exist and this Act being immediately necessary for the preservation of the
4 public peace, health and safety shall be in full force and effect from and
5 after *January 1, 1991*.

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/s/D. Barclay, et al

APPROVED: 3/29/91