

As Engrossed: 4/5/95

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative Wooldridge**

A Bill

ACT 1247 OF 1995
HOUSE BILL 2101

For An Act To Be Entitled

8 "AN ACT TO PRESCRIBE THE SALARY AND EXPENSE ALLOWANCE OF
9 THE DEPUTY PROSECUTING ATTORNEY FOR GREENE COUNTY; TO
10 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES. "AN ACT TO
11 PRESCRIBE THE SALARY AND EXPENSE ALLOWANCE OF THE DEPUTY
12 PROSECUTING ATTORNEY FOR GREENE COUNTY. "

Subtitle

15 "AN ACT TO PRESCRIBE THE SALARY AND
16 EXPENSE ALLOWANCE OF THE DEPUTY
17 PROSECUTING ATTORNEY FOR GREENE COUNTY. "

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. The Prosecuting Attorney of the Second Circuit-Chancery
22 Court Circuit may appoint one (1) or more deputy prosecuting attorneys for
23 Greene County at a combined salary not to exceed forty-five thousand dollars
24 (\$45,000) per annum, plus a combined contingent expense allowance not to
25 exceed twenty-five thousand dollars (\$25,000) per annum.

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27 SECTION 2. (a) The salaries and contingent expense allowances provided
28 for in this act shall be paid by the county in twelve (12) equal monthly
29 installments to the deputies and in such amounts within the total amounts
30 provided herein as may be designated by the prosecuting attorney. All fees
31 earned and payable to the deputy prosecuting attorneys in Greene County shall
32 be deposited to the county treasury to the credit of the county general fund.
33 The contingent expense allowances provided in Section 1 shall be in addition
34 to any necessary expenses.

35 (b) The deputy prosecuting attorneys shall be allowed any necessary
36 expenses incurred in connection with any proper investigation incident to

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1 violations or alleged violations of the criminal laws or any hearing or trial
2 before a grand jury in any court, including expenses of obtaining evidence and
3 securing attendance of witnesses from within or outside the State of Arkansas,
4 and any unusual travel expenses incurred in connection with the duties of his
5 office. Such necessary expenses shall be paid by the county from the county
6 general revenue fund upon the filing of proper claim by the deputy prosecuting
7 attorney or by the person or firm entitled to compensation therefor and having
8 the approval of the deputy prosecuting attorney, the prosecuting attorney or
9 the court in which such matter is pending.

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11 SECTION 3. The contingent expense allowances provided for in Section 1
12 shall be allocated monthly to provide for expenses of the office to include
13 office rental, postage, office supplies, equipment, secretarial assistance,
14 operation of automobiles, and such other expenses which within the discretion
15 of the prosecuting attorney may be a proper expense of the office.

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17 SECTION 4. The provisions of this act shall be retroactive to January
18 1, 1995.

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20 SECTION 5. Subsections (b) and (e) of Act 878 of 1993 are amended to
21 read as follows:

22 "(b) One (1) or more deputy prosecuting attorneys for Pope County,
23 whose combined salaries shall not be less than seventeen thousand eight
24 hundred sixty-one dollars (\$17,861) per annum nor more than the amount
25 approved by the Quorum Court of Pope County. Said salary to be paid in
26 accordance with the pay periods and payroll policy for county employees of
27 Pope County, Arkansas. In addition to said salaries: social security,
28 matching retirement, insurance and all related salary expenses shall be paid
29 by Pope County.

30 (e) One (1) or more investigators/attorneys, whose duties shall be to
31 investigate all matters referred to them by the Prosecuting Attorney of the
32 Fifth Judicial District, including violations of the Statutes of the State of
33 Arkansas and collecting evidence in cases in which the State of Arkansas,
34 Fifth Judicial District, is or may be a party in interest. In the event the
35 prosecuting attorney fills said position with an attorney, said attorney shall

1 have all the rights, powers, and privileges as would a deputy prosecuting
2 attorney. The investigator may serve all process issuing out of the courts in
3 said county or counties for the prosecuting attorney's office. The combined
4 salaries of the investigators/attorneys shall not be less than fifteen
5 thousand six hundred fifty-six dollars and seventy-five cents (\$15,656.75) nor
6 more than the amount approved by the respective quorum courts of the Fifth
7 Judicial District. Said salary to be paid in accordance with the pay periods
8 and payroll policy of Pope County, Arkansas. In addition to said salaries:
9 social security, matching retirement, insurance and all related salary
10 expenses shall be paid as set forth in Section 2 of Act 878 of 1993."

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12 SECTION 6. Act 790 of 1993 is hereby repealed. All other laws or parts
13 of laws in conflict with this act are hereby repealed.

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15 SECTION 7. All provisions of this act of general and permanent nature
16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
17 Revision Commission shall incorporate the same in the Code.

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19 SECTION 8. If any provisions of this act or the application thereof to
20 any person or circumstance is held invalid, the invalidity shall not affect
21 other provisions or applications of the act which can be given effect without
22 the invalid provisions or application, and to this end the provisions of this
23 act are declared to be severable.

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25 SECTION 9. Emergency. It is hereby found and determined by the
26 Eightieth General Assembly of the State of Arkansas that the deputy
27 prosecuting attorney for Greene County expense allowances require an excessive
28 amount of documentation and a burden of time and in order to insure the proper
29 administration of justice and the efficient functioning of the office of
30 deputy prosecuting attorney for Greene County it is necessary that this act
31 become effective immediately and apply retroactively to January 1, 1995.
32 Therefore, an emergency is hereby declared to exist and this act being
33 necessary for the immediate preservation of the public peace, health and
34 safety shall be in full force and effect from and after its passage and
35 approval.

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/s/Rep. Wooldridge

BECAME LAW WITHOUT GOVERNOR'S SIGNATURE: 4-13-95

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