

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

A Bill

ACT 945 OF 1995
HOUSE BILL 1344

For An Act To Be Entitled

8 "AN ACT TO PRESCRIBE THE SALARY AND EXPENSE ALLOWANCE OF
9 THE DEPUTY PROSECUTING ATTORNEYS FOR CRITTENDEN COUNTY;
10 *PRESCRIBING THE SALARY OF THE CLERK-SECRETARY-CASE*
11 *COORDINATOR OF THE NINTH CIRCUIT-CHANCERY COURT CIRCUIT*
12 *WEST; AND FOR OTHER PURPOSES.*"

Subtitle

15 "AN ACT TO PRESCRIBE THE SALARY AND
16 EXPENSE ALLOWANCE OF THE DEPUTY
17 PROSECUTING ATTORNEYS FOR CRITTENDEN
18 COUNTY *AND PRESCRIBING THE SALARY OF THE*
19 *CLERK-SECRETARY-CASE COORDINATOR OF THE*
20 *NINTH CIRCUIT-CHANCERY COURT CIRCUIT*
21 *WEST.*"

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

24
25 SECTION 1. The Prosecuting Attorney of the Second Circuit-Chancery
26 Court Circuit may appoint one or more deputy prosecuting attorneys for
27 Crittenden County at a combined salary not to exceed one hundred fifty
28 thousand dollars (\$150,000) per annum, and in such amounts, within the total
29 amounts provided herein, as may be designated by the prosecuting attorney,
30 plus a combined contingent expense allowance in the amount established by the
31 quorum court, not to exceed fifty thousand dollars (\$50,000) per annum. The
32 salaries provided for herein shall be paid by the county court in twenty-four
33 (24) semi-monthly installments from the county general fund and the expense
34 allowance shall be paid monthly in an amount necessary to provide office
35 rental, postage, printing, office supplies, equipment, stationery, secretarial
36 assistance, automobile operation and other proper expenses supported by

1 written itemized claims filed by the deputy prosecuting attorney with the
2 county judge and subject to the approval of the county judge.

3

4 SECTION 2. Expenses actually incurred by the deputy prosecuting
5 attorney or attorneys in Crittenden County in excess of the contingent expense
6 allowance provided for such attorney or attorneys shall be paid upon itemized
7 claims filed by such deputy or deputies. The expense and allowances provided
8 in Section 1 shall be in addition to any necessary expense incurred in
9 connection with any proper investigation incident to violations or alleged
10 violations of the criminal laws or any hearing or trial before a grand jury or
11 any court, including expenses of obtaining evidence and securing attendance of
12 witnesses from within or outside of the State of Arkansas and any unusual
13 travel expenses incurred in connection with the duties of his office, which
14 shall be paid by the county from the county general revenue fund upon the
15 filing of a proper claim by the deputy prosecuting attorney or by the person
16 or firm entitled to compensation therefor and having the approval of the
17 deputy prosecuting attorney, the prosecuting attorney, or the court in which
18 such matter is pending.

19

20 SECTION 3. It is not the purpose of this act to repeal any laws now or
21 hereafter enacted fixing the fees collectible as prosecuting attorneys_ fees,
22 but rather to update and make possible a more efficient administration of
23 justice and county government. All courts shall collect the fees heretofore
24 provided by law as prosecuting attorneys_ fees and all such fees collected
25 shall be paid into the county treasury as required by law regarding funds
26 belonging to the county. It is the explicit legislative intent to provide the
27 salaries and expense allowances herein set forth without regard to the amount
28 of prosecuting attorneys_ fees and emoluments earned or collected in the
29 counties affected by the act. However, nothing in this act shall be so
30 interpreted as to preclude Crittenden County from paying additional expense
31 allowances in addition to those enumerated herein upon proper action of the
32 appropriate quorum courts.

33

34 SECTION 4. The provisions of this act shall be retroactive to January
35 1, 1995, and thereafter.

1

2 SECTION 5. Arkansas Code 16-21-701 (a) (2) (A) and (B) are hereby
3 repealed.

4

5 SECTION 6. *Beginning January 1, 1995 the clerk-secretary-case*
6 *coordinator of the Ninth Circuit-Chancery Court Circuit West shall receive an*
7 *annual salary of not less than sixteen thousand five hundred dollars*
8 *(\$16,500), nor more than twenty-five thousand dollars (\$25,000). The salaries*
9 *and expenses shall be paid by each county comprising the Ninth Circuit-*
10 *Chancery Court Circuit West with the proportion to be paid by each county to*
11 *be determined by the judge of the Circuit with consideration of the assessed*
12 *value of all real and personal property in each county, the population of each*
13 *county, and the case load of the court in each county. The salary provided*
14 *for in this act shall be paid by each county as herein specified in equal*
15 *monthly payments on the first day of each month.*

16

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

20

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

26

27 SECTION 9. All laws and parts of laws in conflict with this act are
28 hereby repealed.

29

30 SECTION 10. EMERGENCY. It is hereby found and determined by the
31 Eightieth General Assembly of the State of Arkansas that the salaries and
32 contingent expense allowances, provided for herein are immediately necessary
33 to provide adequate compensation and allowances for the officers provided for
34 herein to assure the effective and efficient administration of justice in the
35 Second Circuit-Chancery Court Circuit and should be given effect immediately.

1 Therefore, an emergency is hereby declared to exist and this act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after its passage and
4 approval.

5

6

7

/s/Rep. Ferguson

8

9

BECAME LAW WITHOUT GOVERNOR'S SIGNATURE: 4-6-95

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

As Engrossed: 3/29/95

HB 1344

1

2

0118951415.mih593