

1 State of Arkansas As Engrossed: S3/17/15 S3/18/15

2 90th General Assembly

A Bill

3 Regular Session, 2015

SENATE BILL 1049

4

5 By: Senator J. Dismang

6 By: Representative Gossage

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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING REIMBURSABLE
10 EXPENSES, PER DIEM, AND MILEAGE COMPENSATION FOR
11 MEMBERS OF THE GENERAL ASSEMBLY; AND FOR OTHER
12 PURPOSES.

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Subtitle

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TO AMEND ARKANSAS LAW CONCERNING

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REIMBURSABLE EXPENSES, PER DIEM, AND

18

MILEAGE COMPENSATION FOR MEMBERS OF THE

19

GENERAL ASSEMBLY.

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

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24 *SECTION 1. Arkansas Code § 10-2-103(b)(3), concerning the duties of*
25 *the Coordinator of House Legislative Services, is repealed.*

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~~*(3) The Coordinator of House Legislative Services shall hereafter*~~
~~*perform all duties imposed upon the Chief Clerk of the House of*~~
~~*Representatives with respect to the payment of interim expense funds to*~~
~~*members of the House as authorized by § 10-2-212.*~~

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SECTION 2. Arkansas Code § 10-2-212 is amended to read as follows:

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10-2-212. Reimbursable expenses Per diem and mileage reimbursement.

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~~*(a)(1) A member of the Senate may seek reimbursement for legislative*~~
~~*expenses incurred as authorized by law by filing a signed statement of*~~
~~*expenses incurred during each calendar month. Claims for reimbursement for*~~
~~*expenses incurred shall be filed with the Secretary of the Senate and shall*~~

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1 ~~be paid from the funds appropriated for such purposes for the use of the~~
2 ~~Senate.~~

3 ~~(2) The Senate Efficiency Committee is hereby authorized to~~
4 ~~establish the method of reimbursing members of the Senate for ordinary and~~
5 ~~necessary expenses incurred in the performance of their duties as members of~~
6 ~~the General Assembly. The Senate Efficiency Committee shall determine,~~
7 ~~within the limitations of the Arkansas Constitution and Internal Revenue~~
8 ~~Service guidelines, which expenditures constitute ordinary and necessary~~
9 ~~expenses and the amount of per diem and mileage reimbursement to be paid from~~
10 ~~Senate appropriations.~~

11 ~~(3)(2) Subsection (a) Subdivision (a)(1) of this section does~~
12 ~~not apply to per diem, mileage, and expense reimbursements paid from funds~~
13 ~~disbursed by the Legislative Auditor or the Director of the Bureau of~~
14 ~~Legislative Research.~~

15 ~~(b)(1)(A) A member of the House of Representatives may seek~~
16 ~~reimbursement for legislative expenses incurred as authorized by law by~~
17 ~~filing a signed statement of expenses incurred during each calendar month.~~
18 ~~Claims for reimbursement for expenses incurred shall be filed with the~~
19 ~~Coordinator of House Legislative Services and shall be paid from the funds~~
20 ~~appropriated for such purposes for the use of the House.~~

21 ~~(2)(A) The Speaker of the House of Representatives is hereby~~
22 ~~authorized to establish the method of reimbursing members of the House for~~
23 ~~ordinary and necessary expenses incurred in the performance of their duties~~
24 ~~as members of the General Assembly. The Speaker of the House of~~
25 ~~Representatives shall determine, within the limitations of the Arkansas~~
26 ~~Constitution and Internal Revenue Service guidelines, which expenditures~~
27 ~~constitute ordinary and necessary expenses and the amount of per diem and~~
28 ~~mileage reimbursement to be paid from House appropriations.~~

29 ~~(B) The Speaker of the House of Representatives shall~~
30 ~~notify the House disbursing officer regarding the actions of the Speaker of~~
31 ~~the House of Representatives under this subsection.~~

32 ~~(3)(2) Subsection (b) Subdivision (b)(1) of this section does~~
33 ~~not apply to per diem, mileage, and expense reimbursements paid from funds~~
34 ~~disbursed by the Legislative Auditor or the Director of the Bureau of~~
35 ~~Legislative Research.~~

36 ~~(c) Except as otherwise provided by law, the maximum amount of~~

1 ~~reimbursement for legislative expenses incurred by members of the General~~
2 ~~Assembly shall be, at the option of each member, either five thousand eight~~
3 ~~hundred twenty dollars (\$5,820) per year, six thousand five hundred forty~~
4 ~~dollars (\$6,540) per year, or fourteen thousand four hundred dollars~~
5 ~~(\$14,400) per year.~~

6 ~~(d)(1) Any member of the General Assembly may elect not to receive per~~
7 ~~diem and mileage payments for attending legislative sessions and for~~
8 ~~attending legislative activities and in lieu thereof be reimbursed up to an~~
9 ~~additional ten thousand two hundred dollars (\$10,200) per year.~~

10 ~~(2) Such election shall be made in writing to the presiding~~
11 ~~officer of the legislative body to which the member is elected.~~

12 ~~(3)(A) The election must occur prior to the fifth day of a~~
13 ~~regular session, and the election shall remain in effect until a subsequent~~
14 ~~election is made at the next regular session.~~

15 ~~(B) However, if the maximum amount of reimbursement is~~
16 ~~altered by law, the member of the General Assembly shall make the election~~
17 ~~within thirty (30) days after the law becomes effective, and the election~~
18 ~~shall remain in effect until a subsequent election is made at the next~~
19 ~~regular session.~~

20 ~~(e)(c) No A member of the General Assembly shall not file with the~~
21 ~~House of Representatives or Senate claims for reimbursement for expenses per~~
22 ~~diem or mileage reimbursement in excess of the maximum amount prescribed by~~
23 ~~law.~~

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25 SECTION 3. Arkansas Code § 10-2-215 is amended to read as follows:

26 10-2-215. ~~Additional compensation~~ Expense reimbursement for committee
27 chairs, vice chairs, and cochairs.

28 (a)(1) ~~In addition to the expense allowance provided by § 10-2-212 and~~
29 ~~all laws amendatory and supplemental thereto, the The chair of each of the~~
30 ~~standing, select, and joint committees of either house of the General~~
31 ~~Assembly, the cochairs of the Legislative Council and the chairs of each~~
32 ~~subcommittee of the Legislative Council, the cochairs of the Legislative~~
33 ~~Joint Auditing Committee and the chairs of each subcommittee of the~~
34 ~~Legislative Joint Auditing Committee, the Speaker of the House of~~
35 ~~Representatives, the Speaker Pro Tempore of the House of Representatives, the~~
36 ~~Speaker Designate of the House of Representatives, the President Pro Tempore~~

1 of the Senate, the President Pro Tempore Designate of the Senate, the House
2 and Senate chairs of the Review/PEER Subcommittee of the Joint Budget
3 Committee, the Personnel Subcommittee of the Joint Budget Committee, the
4 Claims Subcommittee of the Joint Budget Committee, and the Special Language
5 Subcommittee of the Joint Budget Committee, and the cochair of any committee
6 of the General Assembly which does not function during the legislative
7 session shall be eligible to receive an additional three thousand six hundred
8 dollars (\$3,600) per year for reimbursement of legislative expenses incurred.

9 (2)(A) ~~In addition to the expense allowance provided by § 10-2-~~
10 ~~212, the~~ The House vice chair of each of the standing, select, and joint
11 committees of either House of the General Assembly and the ~~House~~ vice ~~chair~~
12 chairs of the Legislative Council ~~is~~ shall be eligible to receive two
13 thousand four hundred dollars (\$2,400) per year for reimbursement of
14 legislative expenses incurred.

15 (B) If a member of the ~~House~~ General Assembly is eligible
16 to receive payment under this subdivision (a)(2) due to service in more than
17 one (1) covered position, the member shall be eligible to receive three
18 thousand six hundred dollars (\$3,600) per year for reimbursement of
19 legislative expenses incurred.

20 (3)(A) The chair of each subcommittee of each standing committee
21 of either house shall be eligible to receive an additional one thousand eight
22 hundred dollars (\$1,800) per year for reimbursement of legislative expenses
23 incurred.

24 (B) If a member of the General Assembly is eligible to
25 receive payment under this subdivision (a)(3) due to service in more than one
26 (1) covered position, the member shall be eligible to receive three thousand
27 six hundred dollars (\$3,600) per year for reimbursement of legislative
28 expenses incurred.

29 (4) ~~No~~ A member of the General Assembly shall not receive more
30 than three thousand six hundred dollars (\$3,600) per year under this section
31 for reimbursement of legislative expenses incurred.

32 ~~(b) This additional allowance shall be paid from the same funds and~~
33 ~~appropriation and in the same manner as provided for the allowances~~
34 ~~authorized by § 10-2-212 and all laws amendatory and supplemental thereto.~~

35 ~~(e)~~(b) The chair of a committee established by rule of the House of
36 Representatives or the Senate also may receive ~~an allowance~~ reimbursement of

1 legislative expenses incurred under subsection (a) of this section if
2 authorized by rule of the House of Representatives or the Senate.

3 (c)(1)(A) A member of the Senate may seek reimbursement for expenses
4 under subsection (a) or subsection (b) of this section by filing a signed
5 statement of legislative expenses incurred during each calendar month with
6 the Secretary of the Senate.

7 (B) Expenses shall be paid from funds appropriated for
8 such purposes for the use of the Senate.

9 (2)(A) A member of the House of Representatives may seek
10 reimbursement for expenses under subsection (a) or subsection (b) of this
11 section by filing a signed statement of legislative expenses incurred during
12 each calendar month with the Coordinator of House Legislative Services.

13 (B) Expenses shall be paid from funds appropriated for
14 such purposes for the use of the House of Representatives.

15 (d) A member of the General Assembly shall not file with the House of
16 Representatives or Senate claims for expense reimbursement in excess of the
17 maximum amount prescribed by law.

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19 SECTION 4. Arkansas Code § 10-2-216 is repealed.

20 ~~10-2-216. Reimbursement for legislative services personnel.~~

21 ~~Due to the exacting and special duties of his or her office, the~~
22 ~~Coordinator of House Legislative Services/Parliamentarian/Administrative~~
23 ~~Assistant to the Speaker is to be reimbursed for allowable expenses in the~~
24 ~~same manner and amount as is authorized for members of the General Assembly~~
25 ~~by § 10-2-212.~~

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27 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the
28 General Assembly of the State of Arkansas that the under Amendment 94 the
29 Independent Citizens Commission submitted a recommendation regarding expense
30 reimbursement to the Speaker of the House and the President Pro Tempore of
31 the Senate; that the Speaker of the House and the President Pro Tempore of
32 the Senate in coordination with the Independent Citizens Commission are
33 implementing the recommendations submitted; and that this act is immediately
34 necessary to ensure that provisions of Amendment 94 are carried out in
35 accordance with its language. Therefore, an emergency is declared to exist,
36 and this act being immediately necessary for the preservation of the public

1 peace, health, and safety shall become effective on:
2 (1) The date of its approval by the Governor;
3 (2) If the bill is neither approved nor vetoed by the Governor,
4 the expiration of the period of time during which the Governor may veto the
5 bill; or
6 (3) If the bill is vetoed by the Governor and the veto is
7 overridden, the date the last house overrides the veto.

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/s/J. Dismang

APPROVED: 03/20/2015