

As Engrossed: 1/23/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill

HOUSE BILL 1240

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR THE EXECUTIVE,
9 JUDICIAL AND LEGISLATIVE BRANCHES OF THE STATE FOR THE
10 BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER
11 PURPOSES."

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

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15 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to be payable
16 from the Constitutional Officers Fund, for personal services and expenses of
17 the various Constitutional Officers for the biennial period ending June 30,
18 1993, the following:

20 ITEM	FISCAL YEARS	
21 NO.	1991-92	1992-93
22 (1) Salary of the Governor	\$ 35,000	\$ 35,000
23 (2) Salary of the Lieutenant Governor	14,000	14,000
24 (3) Salary of the Secretary of State	22,500	22,500
25 (4) Salary of the Attorney General	26,500	26,500
26 (5) Salary of the Treasurer of State	22,500	22,500
27 (6) Salary of the Commissioner of State Lands	22,500	22,500
28 (7) Salary of the Auditor of State	22,500	22,500
29 (8) Salary of the Supreme Court Chief Justice	83,129	87,285
30 (9) Salaries of Six Supreme Court Associate Justices		
31 of \$76,351 for 1991-92 and \$80,169 for 1992-93	458,106	481,014
32 (10) Housing & Transportation Expenses of Supreme		
33 Court Justices, as authorized by law	46,200	46,200
34 (11) Salary of the Court of Appeals Chief Judge	75,052	78,805
35 (12) Salaries of Five Court of Appeals Judges		

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1	of \$73,752 for 1991-92 and \$77,440 for 1992-93	368,760	387,200
2	(13) Housing & Transportation Expenses of Court of		
3	Appeals Judges, as authorized by law	39,600	39,600
4	(14) Salaries of Eighty Circuit/Chancery Judges of		
5	\$71,149 for 1991-92 and \$74,707 for 1992-93	5,691,920	5,976,560
6	(15) Expenses of Circuit/Chancery Judges, as		
7	authorized by law	578,000	578,000
8	(16) Salaries of Eighteen Circuit/Chancery Judges-		
9	Juvenile Division of \$71,149 for 1991-92 and		
10	\$74,707 for 1992-93	1,280,682	1,344,726
11	(17) Expenses of Circuit/Chancery Judges-Juvenile		
12	Division, as authorized by law	128,800	128,800
13	(18) Special and Recalled Judges for the Circuit		
14	and Chancery Courts	60,000	60,000
15	(19) Salaries of Fifteen Prosecuting Attorneys -		
16	Division A of \$64,577 for 1991-92 and		
17	\$67,806 for 1992-93	968,655	1,017,090
18	(20) Salaries of Nine Prosecuting Attorneys -		
19	Division B of \$53,744 for 1991-92 and		
20	\$56,431 for 1992-93	483,696	507,879
21	(21) Salary of the Speaker of the House of		
22	Representatives	10,000	10,000
23	(22) Salaries of Ninety-Nine Representatives of		
24	\$7,500 each per year	742,500	742,500
25	(23) Salary of the President Pro Tempore of		
26	the Senate	10,000	10,000
27	(24) Salaries of Thirty-Four Senators of		
28	\$7,500 each per year	255,000	255,000
29	(25) Personal Services Matching	2,409,251	2,532,369
30	(26) Interim Expenses for Representatives, as		
31	authorized by law	763,200	763,200
32	(27) Interim Expenses for Senators, as		
33	authorized by law	<u>293,400</u>	<u>293,400</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 14,911,451</u>	<u>\$ 15,505,128</u>

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36 SECTION 2. The Auditor of State shall be disbursing officer for the

1 funds appropriated in Items (1) through (25) of Section 1 herein.

2

3 SECTION 3. The Coordinator of House Legislative Services of the House
4 of Representatives shall be disbursing officer for the funds appropriated in
5 Item (26) of Section 1 herein.

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7 SECTION 4. The Secretary of the Senate shall be disbursing officer for
8 the funds appropriated in Item (27) of Section 1 herein.

9

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

14

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

26 The funds appropriated by Item (10) of Section 1 herein may be used by
27 each judge of the Arkansas Supreme Court to cover his expenses. The monthly
28 allowance for fiscal year 1991-92 shall not exceed \$550 per month and for
29 fiscal year 1992-93 shall not exceed \$550 per month.

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

34 Upon receipt of each such voucher, the Auditor of State shall issue a
35 warrant payable to the judge claiming such expense allowance and the State
36 Treasurer is hereby authorized to pay the same from the funds appropriated for

1 such purpose. The balance of the appropriation for housing and transportation
2 which remains at the close of business of the fiscal year ending June 30,
3 1992, shall be carried forward into the fiscal year ending June 30, 1993,
4 there to be used for the same purpose.

5

6 SECTION 7. HOUSING, TRANSPORTATION AND OTHER EXPENSES - COURT OF
7 APPEALS. The General Assembly recognizes that each judge of the Arkansas
8 Court of Appeals incurs considerable expense in carrying out his or her
9 responsibilities to the people of the State of Arkansas, including expenses
10 for housing; the purchase and maintenance of an automobile; the acquisition,
11 maintenance and equipping of a home-office where the judge can work nights,
12 and other times when it is inappropriate or impractical to work in his or her
13 regular office; for attending bar, civic and social meetings and in otherwise
14 carrying out their responsibilities as judges of the Arkansas Court of
15 Appeals; and that said judges should be entitled to an expense allowance to
16 cover such expenses.

17 The funds appropriated by Item (13) of Section 1 herein may be used by
18 each judge of the Arkansas Court of Appeals to cover his expenses. The
19 monthly allowance for fiscal year 1991-92 shall not exceed \$550 per month and
20 for fiscal year 1992-93 shall not exceed \$550 per month.

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

25 Upon receipt of each such voucher, the Auditor of State shall issue a
26 warrant payable to the judge claiming such expense allowance and the State
27 Treasurer is hereby authorized to pay the same from the funds appropriated for
28 such purpose. The balance of the appropriation for housing and transportation
29 which remains at the close of business of the fiscal year ending June 30,
30 1992, shall be carried forward into the fiscal year ending June 30, 1993,
31 there to be used for the same purpose.

32

33 SECTION 8. Arkansas Code 16-10-119 is hereby amended to read as
34 follows:

35 "16-10-119. Expenses of judges.

36 (a) (1) In addition to the salary provided by law, judges of the courts

1 of general jurisdiction of the State shall receive as an expense allowance,
2 six thousand six hundred dollars (\$6,600) for each fiscal year of the
3 biennium, or in the alternative, shall be reimbursed for any and all
4 reasonable expenses in performance of judicial duties as shall be necessary
5 for the proper administration of justice, but this amount shall not include
6 any office rental.

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

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

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

17 (2) The fact of the assignment shall be certified to the Auditor of
18 State by the Director of the Administrative Office of the Courts.

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

23

24 SECTION 9. The appropriations authorized in Item (26) of Section 1
25 shall be used for making reimbursements for interim expenses incurred by
26 members of the House of Representatives.

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28 SECTION 10. The appropriations authorized in Item (27) of Section 1
29 shall be used for making reimbursements for interim expenses incurred by
30 members of the Senate.

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

34 *"(2) The maximum amount of reimbursement for interim expenses incurred by*
35 *members of the Senate and the House of Representatives as authorized by*
36 *Section 10-2-211 -- 10-2-213, shall be at the option of each member either*

1 five thousand eight hundred twenty dollars (\$5,820) per year, six thousand
2 five hundred forty dollars (\$6,540) per year or seven thousand two hundred
3 dollars (\$7,200) per year.

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

7 "In addition to the interim expense allowance provided by §§10-2-211 -- 10-2-
8 213 and all laws amendatory and supplemental thereto, the chairman of each of
9 the standing, select, and joint committees of either house of the General
10 Assembly and the cochairman of any committee of the General Assembly which
11 does not function during the legislative session shall be eligible to receive
12 an additional one thousand eight hundred dollars (\$1,800) per year. This
13 additional allowance shall be paid from the same funds and appropriation and
14 in the same manner as provided for the allowances authorized by §§10-2-211 --
15 10-2-213, and all laws amendatory and supplemental thereto."

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17 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
18 authorized by this Act shall be limited to the appropriation for such agency
19 and funds made available by law for the support of such appropriations; and
20 the restrictions of the State Purchasing Law, the General Accounting and
21 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
22 Procedures and Restrictions Act, or their successors, and other fiscal control
23 laws of this State, where applicable, and regulations promulgated by the
24 Department of Finance and Administration, as authorized by law, shall be
25 strictly complied with in disbursement of said funds.

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27 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General
28 Assembly that any funds disbursed under the authority of the appropriations
29 contained in this Act shall be in compliance with the stated reasons for which
30 this Act was adopted, as evidenced by the Agency Requests, Executive
31 Recommendations and Legislative Recommendations contained in the budget
32 manuals prepared by the Department of Finance and Administration, letters, or
33 summarized oral testimony in the official minutes of the Arkansas Legislative
34 Council or Joint Budget Committee which relate to its passage and adoption.

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

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5 SECTION 16. SEVERABILITY. If any provision of this Act or the
6 application thereof to any person or circumstance is held invalid, such
7 invalidity shall not affect other provisions or applications of the Act which
8 can be given effect without the invalid provision or application, and to this
9 end the provisions of this Act are declared to be severable.

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11 SECTION 17. GENERAL REPEALER. All laws and parts of laws in conflict
12 with this Act are hereby repealed.

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14 SECTION 18. HEALTH PREMIUMS. The Auditor of State shall not, during
15 the 1992-93 fiscal year, spend more for health insurance per employee than the
16 amount being contributed to the State Employees Health Insurance Program.

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18 SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the
19 Seventy-Eighth General Assembly, that the Constitution of the State of
20 Arkansas prohibits the appropriation of funds for more than a two (2) year
21 period; that the effectiveness of this Act on July 1, 1991 is essential to the
22 operation of the agency for which the appropriations in this Act are provided,
23 and that in the event of an extension of the Regular Session, the delay in the
24 effective date of this Act beyond July 1, 1991 could work irreparable harm
25 upon the proper administration and provision of essential governmental
26 programs. Therefore, an emergency is hereby declared to exist and this Act
27 being necessary for the immediate preservation of the public peace, health and
28 safety shall be in full force and effect from and after July 1, 1991.

29

/s/John Miller

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