

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Shaver**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO AUTHORIZE THE CIRCUIT AND CHANCERY JUDGES OF
9 THE FIRST JUDICIAL DISTRICT TO EMPLOY NO MORE THAN TWO (2)
10 SECRETARIES FOR THE FIRST JUDICIAL DISTRICT; AND FOR OTHER
11 PURPOSES."

12
13 WHEREAS, each circuit and chancery judge of this state has authority
14 under current law to employ secretaries and to fix their salaries to be paid
15 from county funds; and

16 WHEREAS, the law does not now specify a mechanism for apportioning the
17 cost of those salaries among the various counties within the judicial
18 districts; and

19 WHEREAS, this act will establish that mechanism for the counties within
20 the First Judicial District,

21

22 NOW THEREFORE,

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

24

25 SECTION 1. (a) The circuit and chancery judges of the First Judicial
26 District may employ no more than two (2) secretaries pursuant to Arkansas Code
27 Annotated §§ 16-13-219 and 16-13-324 to serve all judges of the First Judicial
28 District and to perform secretarial duties as may be assigned by the
29 respective judges.

30 (b) The secretaries authorized by this section shall be appointed by
31 the circuit and chancery judges, shall be sworn officers of the court, and
32 shall hold office at the discretion of the circuit and chancery judges, except
33 that he may be dismissed for incompetency, neglect of duty, or misbehavior.

34 (c) The secretaries for the circuit and chancery judges of the First
35 Judicial District shall each be paid a salary to be set by the judges of not

1 more than twelve thousand dollars (\$12,000) per year payable by the counties
2 comprising the First Judicial District. The salaries shall be apportioned
3 between the counties as follows:

4	<u>County</u>	<u>Percent</u>
5	Cross	15.0
6	Lee	11.0
7	Monroe	10.0
8	Phillips	27.0
9	St. Francis	27.0
10	Woodruff	10.0

11 The salaries shall be payable in equal bi-monthly installments by the
12 paying offices of the respective counties.

13

14 SECTION 2. All provisions of this act of a general and permanent nature
15 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
16 Revision Commission shall incorporate the same in the Code.

17

18 SECTION 3. If any provision of this act or the application thereof to
19 any person or circumstance is held invalid, such invalidity shall not affect
20 other provisions or applications of the act which can be given effect without
21 the invalid provision or application, and to this end the provisions of this
22 act are declared to be severable.

23

24 SECTION 4. All laws and parts of laws in conflict with this act are
25 hereby repealed.

26

27 SECTION 5. EMERGENCY. It is hereby found and determined by the General
28 Assembly that present law does not identify the number of secretaries that may
29 be employed by the judges of the First Judicial District nor prescribe the
30 method for apportioning the salaries thereof among the various counties of the
31 district; this act so provides; and that this act should go into effect
32 immediately in order to clarify the law as soon as possible. Therefore, an
33 emergency is hereby declared to exist and this act being necessary for the
34 preservation of the public peace, health and safety shall be in full force and
35 effect from and after its passage and approval.

