

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Second Extraordinary Session, 1994**  
4 **By: Senator Beebe**

**Call Item 38**

# **A Bill**

**SENATE BILL 26**

## **For An Act To Be Entitled**

8 "AN ACT TO CREATE A NEW CIRCUIT-CHANCERY JUDGESHIP IN THE  
9 SEVENTEENTH JUDICIAL DISTRICT (WEST) *TO RAISE THE SALARY*  
10 *CAP FOR THE WALDRON MUNICIPAL COURT CLERK*; AND FOR OTHER  
11 PURPOSES."

## **Subtitle**

14 "AN ACT TO CREATE A NEW CIRCUIT-CHANCERY  
15 JUDGESHIP IN THE SEVENTEENTH JUDICIAL  
16 DISTRICT (WEST) *AND TO RAISE THE SALARY*  
17 *CAP FOR THE WALDRON MUNICIPAL COURT*  
18 *CLERK.*"

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

22 SECTION 1. (a) Effective January 1, 1995, there is hereby created in  
23 the Seventeenth Judicial District (West) an additional circuit-chancery  
24 judgeship, which shall have jurisdiction in law, equity, and probate.

25 (b) The judge of the additional circuit-chancery judgeship created  
26 herein shall sit as judge of the circuit, chancery, or probate court as time  
27 permits.

28 (c) The qualified electors of the Seventeenth Judicial District (West)  
29 shall elect the additional circuit-chancery judge created herein at the  
30 November 1994 general election to take office on January 1, 1995. The  
31 additional judge shall be elected in the same manner and shall satisfy the  
32 same qualifications for holding office and shall receive the same salary,  
33 expenses, and other allowances as provided by law for judges of the  
34 circuit-chancery courts. The judge shall serve for elected terms of four (4)  
35 years.

1 (d) (1) Since the provisions of this act will not be effective until  
2 after the 1994 Preferential Primaries have taken place, on the effective date  
3 of this act, there shall be a "vacancy in nomination," which the political  
4 parties shall fill in accordance with Arkansas Code Annotated §7-7-104.

5 (2) If needed, the Governor shall issue a proclamation specifying  
6 the date on which the special primary election shall be held, but not less  
7 than thirty (30) days prior to the November 1994 general election, and the  
8 date on which a runoff primary election shall be held in the event a candidate  
9 does not receive a majority vote, but not more than one week after the special  
10 primary election. The proclamation shall also establish the deadline for  
11 filing as a candidate for nomination which shall also be the deadline for  
12 filing petitions of independent candidates to file nomination petitions of not  
13 less than fifty (50) nor more than one thousand (1,000) electors from the  
14 district. If no special primary election is to be held, the Governor shall,  
15 in a proclamation, establish the filing period for independent candidates.

16

17 SECTION 2. The county which comprises the Seventeenth Judicial District  
18 (West) shall provide courtroom and office facilities and supplies for the  
19 judge of the circuit-chancery judgeship created by this act, which shall be  
20 paid out of the county treasury in the same manner as other demands against  
21 the county, out of funds appropriated by the quorum court of the county for  
22 such purposes.

23

24 SECTION 3. There shall be provided for the judge of the  
25 circuit-chancery judgeship created by this act a court reporter, whose salary  
26 shall be fixed and paid in the manner provided by law for court reporters of  
27 the circuit-chancery courts of this state.

28

29 SECTION 4. *Arkansas Code 16-17-108(yyyy) is amended to read as follows:*

30 "*(yyyy) The Waldron Municipal Court Judge shall receive an annual*  
31 *salary of not less than fourteen thousand dollars (\$14,000) nor more than*  
32 *twenty thousand dollars (\$20,000), and the clerk shall receive an annual*  
33 *salary of not less than five thousand five hundred dollars (\$5,500) nor more*  
34 *than sixteen thousand dollars (\$16,000). The salaries shall be subject to*  
35 *approval of the Waldron City Council and the Scott County Quorum Court and*

1 shall be paid in equal monthly installments, one-half (1/2) to be paid by the  
2 City of Waldron, and one-half (1/2) to be paid by Scott County."

3 SECTION 5. All provisions of this act of a general and permanent nature  
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
5 Revision Commission shall incorporate the same in the Code.

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

12  
13 SECTION 7. All laws and parts of laws in conflict with this act are  
14 hereby repealed.

15  
16 SECTION 8. EMERGENCY. It is hereby found and determined by the General  
17 Assembly of the State of Arkansas that the caseload of the Seventeenth  
18 Judicial District (West) necessitates the appointment of an additional  
19 circuit-chancery judge immediately; *that the salary cap for the Waldron*  
20 *Municipal Court Clerk must be raised in order to retain efficient court*  
21 *personnel* and that this act so provides and should therefore be given effect  
22 immediately. Therefore, an emergency is hereby declared to exist and this act  
23 being necessary for the immediate preservation of the public peace, health,  
24 and safety, shall be in full force and effect from and after its passage and  
25 approval.

26  
27 /s/Beebe  
28  
29  
30  
31  
32  
33  
34  
35

*As Engrossed: 8/22/94*

**SB 26**

1

2

**0812941056.jjd067**