

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative Ferguson

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For An Act To Be Entitled

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A Bill

HOUSE BILL

1344

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

Subtitle

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

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

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

1 secretarial assistance, automobile operation and other proper expenses
2 supported by written itemized claims filed by the deputy prosecuting attorney
3 with the county judge and subject to the approval of the county judge.

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

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

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35 SECTION 4. The provisions of this act shall be retroactive to January

1 1, 1995, and thereafter.

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

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

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

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

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

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

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

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/s/Rep. Ferguson

As Engrossed: 3/29/95

HB 1344

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