

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative Wooldridge

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A Bill

HOUSE BILL

2101

For An Act To Be Entitled

8 "AN ACT TO PRESCRIBE THE SALARY AND EXPENSE ALLOWANCE OF
9 THE DEPUTY PROSECUTING ATTORNEY FOR GREENE COUNTY; TO
10 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."AN ACT TO
11 PRESCRIBE THE SALARY AND EXPENSE ALLOWANCE OF THE DEPUTY
12 PROSECUTING ATTORNEY FOR GREENE COUNTY."

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Subtitle

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

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SECTION 1. The Prosecuting Attorney of the Second Circuit-Chancery Court Circuit may appoint one (1) or more deputy prosecuting attorneys for Greene County at a combined salary not to exceed forty-five thousand dollars (\$45,000) per annum, plus a combined contingent expense allowance not to exceed twenty-five thousand dollars (\$25,000) per annum.

SECTION 2. (a) The salaries and contingent expense allowances provided for in this act shall be paid by the county in twelve (12) equal monthly installments to the deputies and in such amounts within the total amounts provided herein as may be designated by the prosecuting attorney. All fees earned and payable to the deputy prosecuting attorneys in Greene County shall be deposited to the county treasury to the credit of the county general fund. The contingent expense allowances provided in Section 1 shall be in addition to any necessary expenses.

(b) The deputy prosecuting attorneys shall be allowed any necessary

1 expenses incurred in connection with any proper investigation incident to
2 violations or alleged violations of the criminal laws or any hearing or trial
3 before a grand jury in any court, including expenses of obtaining evidence
4 and securing attendance of witnesses from within or outside the State of
5 Arkansas, and any unusual travel expenses incurred in connection with the
6 duties of his office. Such necessary expenses shall be paid by the county
7 from the county general revenue fund upon the filing of proper claim by the
8 deputy prosecuting attorney or by the person or firm entitled to compensation
9 therefor and having the approval of the deputy prosecuting attorney, the
10 prosecuting attorney or the court in which such matter is pending.

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12 SECTION 3. The contingent expense allowances provided for in Section 1
13 shall be allocated monthly to provide for expenses of the office to include
14 office rental, postage, office supplies, equipment, secretarial assistance,
15 operation of automobiles, and such other expenses which within the discretion
16 of the prosecuting attorney may be a proper expense of the office.

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18 SECTION 4. The provisions of this act shall be retroactive to January
19 1, 1995.

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21 SECTION 5. Subsections (b) and (e) of Act 878 of 1993 are amended to
22 read as follows:

23 *"(b) One (1) or more deputy prosecuting attorneys for Pope County,*
24 *whose combined salaries shall not be less than seventeen thousand eight*
25 *hundred sixty-one dollars (\$17,861) per annum nor more than the amount*
26 *approved by the Quorum Court of Pope County. Said salary to be paid in*
27 *accordance with the pay periods and payroll policy for county employees of*
28 *Pope County, Arkansas. In addition to said salaries: social security,*
29 *matching retirement, insurance and all related salary expenses shall be paid*
30 *by Pope County.*

31 *(e) One (1) or more investigators/attorneys, whose duties shall be to*
32 *investigate all matters referred to them by the Prosecuting Attorney of the*
33 *Fifth Judicial District, including violations of the Statutes of the State of*
34 *Arkansas and collecting evidence in cases in which the State of Arkansas,*
35 *Fifth Judicial District, is or may be a party in interest. In the event the*

1 prosecuting attorney fills said position with an attorney, said attorney
2 shall have all the rights, powers, and privileges as would a deputy
3 prosecuting attorney. The investigator may serve all process issuing out of
4 the courts in said county or counties for the prosecuting attorney's office.
5 The combined salaries of the investigators/attorneys shall not be less than
6 fifteen thousand six hundred fifty-six dollars and seventy-five cents
7 (\$15,656.75) nor more than the amount approved by the respective quorum
8 courts of the Fifth Judicial District. Said salary to be paid in accordance
9 with the pay periods and payroll policy of Pope County, Arkansas. In
10 addition to said salaries: social security, matching retirement, insurance
11 and all related salary expenses shall be paid as set forth in Section 2 of
12 Act 878 of 1993."

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14 SECTION 6. Act 790 of 1993 is hereby repealed. All other laws or
15 parts of laws in conflict with this act are hereby repealed.

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

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

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27 SECTION 9. Emergency. It is hereby found and determined by the
28 Eightieth General Assembly of the State of Arkansas that the deputy
29 prosecuting attorney for Greene County expense allowances require an
30 excessive amount of documentation and a burden of time and in order to insure
31 the proper administration of justice and the efficient functioning of the
32 office of deputy prosecuting attorney for Greene County it is necessary that
33 this act become effective immediately and apply retroactively to January 1,
34 1995. Therefore, an emergency is hereby declared to exist and this act being
35 necessary for the immediate preservation of the public peace, health and

1 safety shall be in full force and effect from and after its passage and
2 approval.

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/s/Rep. Wooldridge