

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

HOUSE BILL 1128

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

8  
9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
10 EXPENSES FOR THE EXECUTIVE, JUDICIAL, AND LEGISLATIVE  
11 BRANCHES OF THE STATE FOR THE BIENNIAL PERIOD ENDING JUNE  
12 30, 1999; AND FOR OTHER PURPOSES."  
13

## Subtitle

14  
15 "AN ACT FOR THE GENERAL APPROPRIATION  
16 FOR THE ORDINARY EXPENSES OF THE  
17 EXECUTIVE, JUDICIAL, AND LEGISLATIVE  
18 BRANCHES OF GOVERNMENT FOR THE 1997-99  
19 BIENNIUM."  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to be payable  
24 from the Constitutional Officers Fund, for personal services and expenses of  
25 the various Constitutional Officers for the biennial period ending June 30,  
26 1999, the following:  
27

| ITEM  | FISCAL YEARS       |                    |
|---|--------------------|--------------------|
| <del>NO.</del>                                | <del>1997-98</del> | <del>1998-99</del> |
| (1) Salary of the Governor                    | \$ 63,407          | \$ 63,407          |
| (2) Salary of the Lieutenant Governor         | 30,647             | 30,647             |
| (3) Salary of the Secretary of State          | 39,629             | 39,629             |
| (4) Salary of the Attorney General            | 52,839             | 52,839             |
| (5) Salary of the Treasurer of State          | 39,629             | 39,629             |
| (6) Salary of the Commissioner of State Lands | 39,629             | 39,629             |
| (7) Salary of the Auditor of State            | 39,629             | 39,629             |

|    |      |  |                     |                     |
|----|------|--|---------------------|---------------------|
| 1  | (8)  | Salary of the Supreme Court Chief Justice        | 114,213             | 117,411             |
| 2  | (9)  | Salaries of Six Supreme Court Associate          |                     |                     |
| 3  |      | Justices of \$105,507 for 1997-98 and            |                     |                     |
| 4  |      | \$108,461 for 1998-99                            | 633,042             | 650,766             |
| 5  | (10) | Salary of the Court of Appeals Chief Justice     | 103,840             | 106,748             |
| 6  | (11) | Salaries of Eleven Court of Appeals Associate    |                     |                     |
| 7  |      | Justices of \$102,171 for 1997-98 and            |                     |                     |
| 8  |      | \$105,031 for 1998-99                            | 1,123,881           | 1,155,341           |
| 9  | (12) | Annual Salaries of One Hundred and Four Circuit/ |                     |                     |
| 10 |      | Chancery Judges of \$98,828 for 1997-98 and      |                     |                     |
| 11 |      | One Hundred and Five Circuit/Chancery Judges of  |                     |                     |
| 12 |      | \$101,595 for 1998-99                            | 10,278,112          | 10,616,678          |
| 13 | (13) | Special and Recalled Judges for the Circuit      |                     |                     |
| 14 |      | and Chancery Courts                              | 100,000             | 100,000             |
| 15 | (14) | Trial Judges Expenses                            | 250,000             | 250,000             |
| 16 | (15) | Salaries of Seventeen Prosecuting Attorneys -    |                     |                     |
| 17 |      | Division A of \$82,929 for 1997-98 and           |                     |                     |
| 18 |      | \$85,251 for 1998-99                             | 1,409,793           | 1,449,267           |
| 19 | (16) | Salaries of Eight Prosecuting Attorneys -        |                     |                     |
| 20 |      | Division B of \$69,016 for 1997-98 and           |                     |                     |
| 21 |      | \$70,948 for 1998-99                             | 552,128             | 567,584             |
| 22 | (17) | Salary of the Speaker of the House of            |                     |                     |
| 23 |      | Representatives                                  | 14,000              | 14,000              |
| 24 | (18) | Salaries of Ninety-Nine Representatives of       |                     |                     |
| 25 |      | \$12,500 for 1997-98 and \$12,500 for 1998-99    | 1,237,500           | 1,237,500           |
| 26 | (19) | Salary of the President Pro Tempore of the       |                     |                     |
| 27 |      | Senate   | 14,000              | 14,000              |
| 28 | (20) | Salaries of the Thirty-Four Senators of          |                     |                     |
| 29 |      | \$12,500 for 1997-98 and \$12,500 for 1998-99    | 425,000             | 425,000             |
| 30 | (21) | Personal Services Matching                       | 3,596,950           | 3,696,527           |
| 31 | (22) | Interim Expenses for Representatives, as         |                     |                     |
| 32 |      | authorized by law                                | 1,230,400           | 1,230,400           |
| 33 | (23) | Interim Expenses for Senators, as                |                     |                     |
| 34 |      | authorized by law                                | <u>442,800</u>      | <u>442,800</u>      |
| 35 |      | TOTAL AMOUNT APPROPRIATED                        | <u>\$21,831,068</u> | <u>\$22,379,431</u> |

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SECTION 2. REAPPROPRIATION. There is hereby appropriated, to be payable from the Constitutional Officers Fund, for interim expenses for Representatives and for Senators, the following:

(A) Effective July 1, 1997, the balance of the appropriation provided in Item (23) of Section 1 of Act 3 of 1995, for Interim Expenses for Representatives, in a sum not to exceed ..... \$100,000.

(B) Effective July 1, 1997, the balance of the appropriation provided in Item (24) of Section 1 of Act 3 of 1995, for Interim Expenses for Senators, in a sum not to exceed ..... \$100,000.

SECTION 3. The Auditor of State shall be disbursing officer for the funds appropriated in Items (1) through (21) of Section 1 herein.

SECTION 4. The Coordinator of House Legislative Services of the House of Representatives shall be disbursing officer for the funds appropriated in Item (22) of Section 1 herein.

SECTION 5. The Secretary of the Senate/Fiscal Officer shall be disbursing officer for the funds appropriated in Item (23) of Section 1 herein.

SECTION 6. The appropriations authorized in Item (22) of Section 1 shall be used for making reimbursements for interim expenses incurred by members of the House of Representatives.

SECTION 7. The appropriations authorized in Item (23) of Section 1 shall be used for making reimbursements for interim expenses incurred by members of the Senate.

SECTION 8. Arkansas Code 10-2-123(c)(1) is hereby amended to read as follows:

"(c)(1) Members of the preceding General Assembly ~~who have been reelected to a new term in either house of the General Assembly,~~ and the newly elected members of the House of Representatives and Senate shall be eligible

1 to attend the biennial Institute of Legislative Procedure and shall be  
2 entitled, upon filing claim therefor, to per diem in the amount fixed by law  
3 for members of the General Assembly to receive for attendance at legislative  
4 sessions, for each day in attending the biennial Institute of Legislative  
5 Procedure plus mileage for traveling from their place of residence to the  
6 biennial Institute of Legislative Procedure and return."

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8 SECTION 9. CARRY FORWARD. Any unexpended balances of the appropriation  
9 authorized for Interim Expenses for Representatives in Item (22) and for  
10 Interim Expenses for Senators in Item (23) of Section 1 of this Act which  
11 remain at the close of the fiscal year ending June 30, 1998, shall be carried  
12 forward and made available for the same purpose for the fiscal year ending  
13 June 30, 1999.

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15 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
16 authorized by this Act shall be limited to the appropriation for such agency  
17 and funds made available by law for the support of such appropriations; and  
18 the restrictions of the State Purchasing Law, the General Accounting and  
19 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
20 Procedures and Restrictions Act, or their successors, and other fiscal control  
21 laws of this State, where applicable, and regulations promulgated by the  
22 Department of Finance and Administration, as authorized by law, shall be  
23 strictly complied with in disbursement of said funds.

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25 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General  
26 Assembly that any funds disbursed under the authority of the appropriations  
27 contained in this Act shall be in compliance with the stated reasons for which  
28 this Act was adopted, as evidenced by the Agency Requests, Executive  
29 Recommendations and Legislative Recommendations contained in the budget  
30 manuals prepared by the Department of Finance and Administration, letters, or  
31 summarized oral testimony in the official minutes of the Arkansas Legislative  
32 Council or Joint Budget Committee which relate to its passage and adoption.

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34 SECTION 12. CODE. All provisions of this Act of a general and  
35 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the

1 Arkansas Code Revision Commission shall incorporate the same in the Code.

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3 SECTION 13. SEVERABILITY. If any provision of this Act or the  
 4 application thereof to any person or circumstance is held invalid, such  
 5 invalidity shall not affect other provisions or applications of the Act which  
 6 can be given effect without the invalid provision or application, and to this  
 7 end the provisions of this Act are declared to be severable.

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9 SECTION 14. GENERAL REPEALER. All laws and parts of laws in conflict  
 10 with this Act are hereby repealed.

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12 SECTION 15. EMERGENCY CLAUSE. It is hereby found and determined by the  
 13 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
 14 prohibits the appropriation of funds for more than a two (2) year period; that  
 15 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
 16 the agency for which the appropriations in this Act are provided, and that in  
 17 the event of an extension of the Regular Session, the delay in the effective  
 18 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
 19 proper administration and provision of essential governmental programs.  
 20 Therefore, an emergency is hereby declared to exist and this Act being  
 21 necessary for the immediate preservation of the public peace, health and  
 22 safety shall be in full force and effect from and after July 1, 1997.

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