



STEVE CLARK
ATTORNEY GENERAL

STATE OF ARKANSAS
OFFICE OF THE ATTORNEY GENERAL
JUSTICE BUILDING, LITTLE ROCK 72201
December 30, 1985

(501) 371-2007

OPINION NO. 85-228

Honorable W. H. "Dub" Arnold
Prosecuting Attorney
P.O. Box 480
Arkadelphia, AR 71923

Dear Mr. Arnold:

This is in response to your request for an opinion on the following questions:

1. Does Article 4, Section (c) of Clark County Ordinance 190 conflict with Ark. Stat. Ann. §17-3709(2)(j)?
2. Does Art. 5(a) of Clark County Ordinance 190 conflict with Ark. Stat. Ann. §17-3709(2)(j)?
3. How are salaries to be set for the newly elected officials under reorganization?

The answer to your first question is no. There appears to be no conflict between Art. 4, Section (c) of Clark County Ordinance 190 and Ark. Stat. Ann. §17-3709(2)(j).

In response to your second question, there appears to be no conflict between Art. 5(a) of Clark County Ordinance 190 and Ark. Stat. Ann. §17-3709(2)(j).

Pursuant to Ark. Stat. Ann. §17-4201 (Repl. 1980) the Quorum Court of Clark County should appropriate funds for the payment of salaries for the newly elected officials. Several county offices are being combined into two, those two offices should be compensated at a level commensurate with the higher paying position under the former organization. For example, under reorganization the Tax and Revenue Officer assumes the powers and duties formerly performed by the Assessor, Collector of Revenues, Treasurer and to some extent County Clerk. A review of Section 17-4201 will indicate which of these positions is paid at a higher level, therefore, the Tax and Revenue Officer should be paid at that level. The Tax and Revenue Officer is now performing many duties and there is no statutory authority that would allow him to collect more than one salary. This same rationale applies to the Courts and Records Officer.

Honorable W. H. "Dub" Arnold
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The foregoing opinion, which I hereby approve, was
prepared by Assistant Attorney General E. Jeffery Story.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steve Clark", written over the typed name.

STEVE CLARK
Attorney General