

Act 48 of the 1989 Regular Session.

Act 48

HB1247

By: Representatives McCuiston, Capps, Landers,  
Shaver, Foster, Cunningham, Turner, Newman and J. Miller

"AN ACT TO AMEND SUBSECTION (c) OF SECTION 10-3-504 OF THE ARKANSAS CODE OF 1987 TO REVISE THE METHOD OF CHOOSING THE SPEAKER-DESIGNATE OF THE HOUSE OF REPRESENTATIVES; AND FOR OTHER PURPOSES."

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

SECTION 1. Effective on the Tuesday after the second Monday in January, 1991 and thereafter, subsection (c) of Section 10-3-504 of the Arkansas Code of 1987 is hereby amended to read as follows:

"(c) As used in this section, the term 'Speaker-designate' shall mean the member of the House of Representatives selected by the House of Representatives of each General Assembly held preceding the convening of the next

following regular session of the General Assembly, in the following manner:

(1) Any member of the House of Representatives desiring to be a candidate for selection as Speaker-designate of the next following General Assembly shall file a statement of such intent in writing with the Speaker of the House on or before the date of sine die adjournment of the regular session of the General Assembly. Petitions seeking pledge signatures of members of the House of Representatives for a particular candidate seeking selection as Speaker-designate shall not be circulated among the members of the House of Representatives until (i) after the member has filed his written intention to be a candidate with the Speaker of the House of Representatives and (ii) in no event shall such petitions be circulated until after February 1 following convening of the Regular Session of the General Assembly. Sometime prior to the sine die adjournment of the General Assembly, the Speaker of the House shall circulate among the membership of the House of Representatives a list of the names of all candidates for selection as Speaker-designate.

(2) On or about June 1 of the year in which the regular session of the General Assembly is held, the Speaker of the House of Representatives shall prepare and distribute among the membership of the House of Representatives, by ordinary mail, ballots upon which shall appear the names of all candidates for selection as Speaker-designate upon which each member shall cast the vote of his choice and sign his/her signature (at the place designated on the ballot) and return the same to the Speaker of the House on or before June 30. The Speaker of the House shall prescribe the form of the ballot and shall include therewith a stamped, self-addressed envelope in which the ballot shall be returned to the Speaker's office.

(3) No later than the third day of July following the receipt of the ballots, the Speaker of the House shall, with the assistance of the Speaker Pro Tem and the Chairman and Vice Chairman of the House Rules Committee, open the ballots in an open public meeting and tabulate the results. The candidate receiving a majority vote of the membership of the House of Representatives shall be declared the winner of such election for Speaker-designate of the House of Representatives of the next following General Assembly. If no candidate receives a majority vote of the membership of the House of Representatives the names of the two candidates receiving the highest number of votes cast shall be placed on a run-off ballot and distri-

buted among the membership of the House of Representatives in the same manner provided above. Run-off ballots shall be completed and returned to the office of the Speaker of the House no later than July 15. Postmark on the ballot shall be conclusive of the date on which the ballot is returned to the Office of the Speaker of the House. Within five (5) days after receipt of such run-off ballots the Speaker of the House shall, with the assistance of the Speaker Pro Tem and the Chairman and Vice-Chairman of the House Rules Committee, open the ballots, in an open public meeting, and tabulate the election results, and the candidate receiving the highest number of votes shall be declared Speaker-designate of the House of Representatives of the next following General Assembly. If, as a result of such run-off election, both candidates receive the same number of votes, a tie shall be declared and the Speaker of the House shall determine by lot one of the two candidates who shall be declared Speaker-designate of the next following General Assembly.

(4) The Speaker-designate shall be authorized to name the House members of the Joint Budget Committee, in the manner provided by law, to serve on the Joint Budget Committee at the next General Assembly or at the Legislative Council budget hearings held preceding the convening of the next following regular session of the General Assembly as provided by law.

(5) Failure of the Speaker-designate to be elected to the House of Representatives or as Speaker of the House of Representatives of the next following regular session of the General Assembly shall not affect the appointment of the members named by the Speaker-designate to serve on the Joint Budget Committee at the regular session or at the Legislative Council budget hearings held prior to the convening of the next following regular session of the General Assembly, as provided by law. However, if it is determined that the speaker-designate will not serve as a member of the House of Representatives of the next following General Assembly due to death, resignation, failure to be a candidate for reelection in the party primary election, or failure to be reelected as a party candidate in the primary election, a vacancy in the position of speaker-designate shall exist and the Speaker of the House of Representatives shall establish procedures for the selection of a successor speaker-designate in a manner comparable as provided herein whereby appointments to the Joint Budget Committee may be made on or before the first day of October preceding the convening of the next regular session of the General Assembly. It is the intent of this Act that the speaker-designate be the Speaker of the House of Representatives of the next following General Assembly, subject to selection by the membership of the House upon convening of the Regular Session."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: February 13, 1989

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