As Engrossed: 1/25/93 2/3/93 2/18/93 4/6/93

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| 2 | 79th General Assembly ABII ACT 1092 OF 1993 |
| 3 | Regular Session, 1993HOUSE BILL1090 |
| 4 | By: Representatives Mahony, Flanagin, Dietz and Pryor |
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| 7 | For An Act To Be Entitled |
| 8 | "AN ACT TO AMEND ARKANSAS CODE 7-4-101 PERTAINING TO THE |
| 9 | COMPOSITION AND DUTIES OF THE STATE BOARD OF ELECTION |
| 10 | COMMISSIONERS; AND FOR OTHER PURPOSES." |
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| 12 | |
| 13 | Subtitle |
| 14 | "TO AMEND ARKANSAS CODE 7-4-101 PERTAINING TO THE STATE |
| 15 | BOARD OF ELECTION COMMISSIONERS." |
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| 17 | BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: |
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| 19 | SECTION 1. Arkansas Code 7-4-101 is hereby amended to read as follows: |
| 20 | "7-4-101. State Board of Election Commissioners - Members - Officers - |
| 21 | Meetings. |
| 22 | (a) The State Board of Election Commissioners shall be composed of the |
| 23 | following eight (8) persons with at least one (1) and not more than two (2) |
| 24 | from each congressional district: |
| 25 | (1) the Secretary of State as an ex officio nonvoting member; |
| 26 | (2) one (1) person designated by the state <i>Democratic</i> party; |
| 27 | (3) one (1) person designated by the state <i>Republican</i> party; |
| 28 | (4) one (1) person to be chosen by the President Pro Tempore of the |
| 29 | Arkansas Senate; |
| 30 | (5) one (1) person to be chosen by the Speaker of the Arkansas House of |
| 31 | Representatives; |
| 32 | (6) two (2) persons to be chosen by the Governor one (1) of whom shall |
| 33 | be a county clerk; and, |
| 34 | (7) one (1) person to be chosen by the following Constitutional |
| 35 | Officers: Lieutenant Governor, Attorney General, State Treasurer, |
| 36 | Commissioner of State Lands, and State Auditor. |

1 (b) The Secretary of State shall serve as chairman and secretary of the 2 board and keep the records of the board.

3 (c) Except for the Secretary of State and the county clerk, no member 4 of the board shall be an elected public official.

5 (d) The term on the board of the elected state official shall be 6 concurrent with the term as public elected officer. The county clerk shall 7 hold the office of county clerk when appointed to the board and shall be 8 removed as a member of the board if not in office. The term on the board of 9 all other board members shall be two (2) years or until their successors are 10 appointed and qualified in the manner provided hereinabove for the initial 11 appointment. No appointive member shall be reappointed for more than one (1) 12 term to succeed himself.

13 (e) The board shall meet at least every three (3) months, and more 14 often if needed, at a time and place which shall be designated by the 15 chairman. However, the meetings may be chaired and conducted by either the 16 chairman, if present, or a board member designated acting chairman for the 17 meeting by the chairman.

18 (f) The State Board of Election Commissioners may perform the following 19 duties:

(1) publish a _plain english_ election handbook which addresses thedos and don ts for candidates under Arkansas law;

(2) conduct statewide training for election clerks and judges andcounty election commissioners;

24 (3) monitor all election law related legislation;

(4) conduct investigations of citizen complaints and issue advisory
opinions regarding violation of election laws except when the same relates to
campaign finance and disclosure laws or is within the jurisdiction of the
Ethics Commission;

(5) to develop procedures for receiving citizen complaints which are
referred to in subsection (4).

31 (6) establish guidelines for and monitor the qualifications of all32 election officials; and

(7) formulate, adopt and promulgate all necessary rules and regulations
 to assure even and consistent application of fair and orderly election
 procedures.

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1 (g) All election-related questions are to be answered by the Secretary 2 of State's Office pursuant to §7-1-106 and shall be consistent and in 3 conformity with any policies, guidelines, or regulations established by the 4 board.

5 (h) The Attorney General shall provide legal assistance to the State 6 Board of Election Commissioners in answering questions regarding election 7 laws."

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9 SECTION 2. There is hereby levied an additional fee in the amount of 10 one cent (\$.01) for each registered voter identification and address purchased 11 through any county clerk by a private citizen or a private entity. The fee 12 shall be collected by each county clerk and remitted to the State Treasurer at 13 such time and under such procedure as prescribed by State Board of Election 14 Commissioners. The fees shall be deposited in the State Treasury as special 15 revenues and credited to the Computerized Voter Registration Fund which is 16 hereby created on the books of the State Treasurer, State Auditor and Chief 17 Fiscal Officer of the the State. The funds shall be used exclusively by the 18 State Board of Election Commissioners for funding a computerized state wide 19 voter registration system.

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21 SECTION 3. All provisions of this act of a general and permanent nature 22 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code 23 Revision Commission shall incorporate the same in the code.

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25 SECTION 4. If any provision of this act or the application thereof to 26 any person or circumstance is held invalid, such invalidity shall not affect 27 other provisions or applications of the act which can be given effect without 28 the invalid provision or application, and to this end the provisions of this 29 act are declared to be severable.

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31 SECTION 5. All laws and parts of laws in conflict with this act are 32 hereby repealed.

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34 /s/Jodie Mahony, et al

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APPROVED: 04/13/93