

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill

HOUSE BILL

4 **By: Representatives Beatty, Easley, J. H. Roberts,**
5 **Purdom, Allen, Blair, Brown, Calhoun, Dowd,**
6 **Flanagin, Forgey, Goodwin, Hawkins, Horn, Jones,**
7 **Jordan, McGee, McJunkin, O. Miller, Mills,**
8 **Mitchell, Northcutt, Porter, Rorie, Sanson,**
9 **Schexnayder, Walker and J. Wilson**

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For An Act To Be Entitled

13 "AN ACT TO AMEND ARKANSAS CODE 10-3-504 PERTAINING TO THE
14 METHOD OF SELECTING THE SPEAKER-DESIGNATE; AND FOR OTHER
15 PURPOSES."

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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 10-3-504(c) is hereby amended to read as
20 follows:

21 "(c) As used in this section, the term "Speaker-designate" shall mean
22 the member of the House of Representatives selected by the House of
23 Representatives of each General Assembly held preceding the convening of the
24 next-following regular session of the General Assembly, in the following
25 manner:

26 (1) Whenever the House of Representatives shall designate a time during
27 a regular session to caucus for the selection of members to serve on the
28 Legislative Council and the Legislative Joint Auditing Committee, a caucus of
29 the entire House of Representatives shall be held on that date, and the
30 members of the House shall select by secret ballot a member of the House, to
31 be known as the Speaker-designate. The Speaker shall announce the results of
32 the secret ballot by announcing the number of votes received by each
33 candidate.

34 (2) Petitions seeking pledge signatures of members of the House of
35 Representatives for a particular candidate seeking selection as

1 Speaker-designate shall not be circulated among the members of the House of
2 Representatives.

3 (3) The candidate receiving a majority vote of the membership of the
4 House of Representatives shall be declared the winner of such election for
5 Speaker-designate of the House of Representatives of the next following
6 General Assembly.

7 (4) If no candidate receives a majority vote of the membership of the
8 House of Representatives, the names of the two (2) candidates receiving the
9 highest number of votes cast shall be placed on a run-off ballot and
10 distributed among the membership of the House of Representatives in the same
11 manner provided above.

12 (5) (A) Failure of the Speaker-designate to be elected to the House of
13 Representatives or as Speaker of the House of Representatives of the
14 next-following regular session of the General Assembly shall not affect the
15 appointment of the members named by the Speaker-designate to serve on the
16 Joint Budget Committee at the regular session or at the Legislative Council
17 budget hearings held prior to the convening of the next-following regular
18 session of the General Assembly, as provided by law.

19 (B) However, if it is determined that the Speaker-designate will not
20 serve as a member of the House of Representatives of the next-following
21 General Assembly due to death, resignation, failure to be a candidate for
22 reelection in the party primary election, or failure to be reelected as a
23 party candidate in the primary election, a vacancy in the position of
24 Speaker-designate shall exist and not be filled and the Speaker of the House
25 of Representatives shall be elected upon convening of the next regular session
26 and make any Speaker-designate appointments to the Joint Budget Committee that
27 were not made at the time the vacancy occurred.

28 (6) It is the intent of this subsection that the Speaker-designate be
29 the Speaker of the House of Representatives of the next-following General
30 Assembly, subject to selection by the membership of the House upon convening
31 of the regular session."

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

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

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that the procedure for selecting the Speaker-designate of the House of Representatives should be changed; that this Act accomplishes the necessary change; and that this Act should go into effect immediately in order to be in effect when the Speaker-designate is next selected. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.