

1 State of Arkansas
2 84th General Assembly
3 Second Extraordinary Session, 2003
4

Call Item 4

A Bill

HOUSE BILL 1176

5 By: Representatives Green, Chesterfield, Dees, C. Johnson, Ledbetter, Lendall, Mathis, Penix, White
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For An Act To Be Entitled

9 AN ACT TO ENSURE THAT SCHOOL DISTRICTS HAVE
10 ADMINISTRATORS PRESENT IN THE DISTRICT TO PROVIDE
11 FOR THE PROPER ADMINISTRATION OF THE SCHOOLS; TO
12 AMEND THE REQUIREMENTS OF PUBLIC EMPLOYEES WHO
13 ARE REQUIRED TO REGISTER AS LOBBYISTS; AND FOR
14 OTHER PURPOSES.

Subtitle

16 AN ACT TO ENSURE THAT SCHOOL DISTRICTS
17 HAVE ADMINISTRATORS PRESENT IN THE
18 DISTRICT TO PROVIDE FOR THE PROPER
19 ADMINISTRATION OF THE SCHOOLS.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 6-17-301 is amended to add an additional
26 subsection to read as follows:

27 (e)(1) No superintendent, deputy superintendent, or assistant
28 superintendent may receive compensation or expense reimbursement from a
29 school district for any time that the superintendent, deputy superintendent,
30 or assistant superintendent is engaged in the practice of lobbying, as
31 defined under § 21-8-402, during any regular or special session of the
32 General Assembly.

33 (2) Any written employment contract entered into after the
34 effective date of this subsection (e) between a school district and a
35 superintendent, a deputy superintendent, or an assistant superintendent shall
36 specifically prohibit the payment of compensation to a superintendent, a



1 deputy superintendent, or an assistant superintendent for any time during the
2 contract period the superintendent, deputy superintendent, or assistant
3 superintendent is engaged in the practice of lobbying as defined under § 21-
4 8-402, during any regular or special session of the General Assembly.

5 (3) A written employment contract between a school district and
6 a superintendent, a deputy superintendent, or an assistant superintendent
7 that does not contain the clause as set forth under subdivision (e)(2) shall
8 not be enforceable by any party to the contract.

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10 SECTION 2. Arkansas Code § 21-8-601(a)(2), concerning registration of
11 lobbyist, is amended to read as follows:

12 (2) A lobbyist shall not be required to register if he or she
13 engages in no lobbying other than the following activities:

14 (A) The publishing or broadcasting, by news media
15 executives or their employees or agents, in the ordinary course of business,
16 of news items, editorials, or other comments or paid advertisements which
17 directly or indirectly urge legislative action or administrative action;

18 (B) Engaging in lobbying exclusively on behalf of an
19 Arkansas church which qualifies as a tax exempt organization under section
20 501(c)(3) of the Internal Revenue Code when lobbying solely for the purpose
21 of protecting the rights of members or adherents to practice the religious
22 doctrines of the church;

23 (C)(i) Action in a person's official capacity as a public
24 servant.

25 (ii) However, a public servant shall be required to
26 register as a lobbyist if he or she:

27 (a) Receives income from a nongovernmental
28 person in excess of four hundred dollars (\$400) in a quarter for lobbying; or

29 (b) Expends or is reimbursed in excess of four
30 hundred dollars (\$400), regardless of the source, in a quarter for lobbying,
31 excluding the cost of informational material and personal travel, lodging,
32 meals, and dues;.

33 (iii) A public employee shall be required to
34 register as a lobbyist if:

35 (a) The public employee spends more than
36 twenty-four (24) hours lobbying during any regular or special session of the

1 General Assembly; and

2 (b) The public employee is not employed by a
3 state agency, state legislative agency, or office of a constitutional
4 officer;

5 (D) Drafting legislation;

6 (E) Appearing in:

7 (i) A judicial proceeding;

8 (ii) A proceeding or hearing if the appearance is a
9 matter of public record; or

10 (iii) Any hearing or appeal proceeding conducted
11 pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.;

12 (F) Assisting an executive agency, at the written request
13 of the agency, in drafting administrative regulations or in publicizing or
14 assisting in the implementation of final administrative actions;

15 (G) Testifying as an individual at a public hearing in
16 support of or in opposition to legislation or administrative action,
17 testifying on behalf of a corporation, partnership, association, or other
18 organization with which the person is regularly associated as an employee,
19 officer, member, or partner, or testifying at the request of a legislative
20 committee; or

21 (H) Actions by contractors or employees of contractors
22 while engaged in selling to a governmental body by demonstrating or
23 describing commodities or services or inquiring as to specifications or terms
24 and conditions of a particular purchase unless such contractor or its
25 employees expend in excess of four hundred dollars (\$400) in a calendar
26 quarter for food, lodging, travel, or gifts to benefit public servants who
27 purchase commodities or services on behalf of a governmental body.

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