

Hall of the House of Representatives
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of Senate Bill No. 20

"TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE TO ELIMINATE
REFERENCES TO LEGISLATIVE MEMBERS OF STATE BOARDS AND COMMISSIONS."

Amendment No. 1 to Senate Bill No. 20.

Amend Senate Bill No. 20 as originally introduced:

Add Representatives Broadway and Bradford as cosponsors of the bill;

AND

Page 2, line 16, delete "and" and substitute "~~and~~"

AND

Page 2, line 17, delete the line and substitute the following:
"~~the committee~~"

AND

Page 2, line 18, delete the line and substitute the following:
"shall serve as an advisory ~~members~~ member without voting privileges."

AND

Pages 5 and 6, delete Section 6 and substitute the following:

"SECTION 6. Arkansas Code 13-9-101 is amended to read as follows:
13-9-101. Members - Meetings.

(a) There is created and established the Arkansas Entertainers Hall of Fame Board.

(b)(1) The board shall be composed of ~~nine (9)~~ eleven (11) voting members, ~~who nine (9) of whom~~ shall be appointed by the Governor for terms of six (6) years each.

(2) Two (2) board members shall be appointed by the Governor from each congressional district in the state, and one (1) shall be appointed at large.

(3)(A) Additionally, ~~the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and~~ the Secretary of State shall be an ex officio nonvoting ~~members~~ member.

(B) The Speaker of the House of Representatives shall appoint one (1) voting member to serve at the pleasure of the Speaker.

(C) The President Pro Tempore of the Senate shall appoint one (1) voting member to serve at the pleasure of the President Pro Tempore.

~~(B)(D)~~ In addition, the members of the board shall appoint two (2) ex officio nonvoting members.

(4) Members of the board shall not be compensated for their services, but each member may receive expense reimbursement in accordance with ~~§ 25-16-901 et seq~~ § 25-16-902.

(c)(1) The voting members of the board shall select a chairman and a vice-chairman from among their own number.

(2) The board shall meet annually.

(3) A majority of the voting members shall constitute a quorum for the transaction of business. "

AND

Page 7, lines 1 through 15, delete Section 8 and substitute the following:

"SECTION 8. Arkansas Code 15-4-1502(a) – (h) are amended to read as follows:

(a) The Arkansas Aviation and Aerospace Commission shall consist of ~~eleven (11)~~ thirteen (13) members who shall be residents and qualified electors of this state.

(b) The commission shall include eight (8) members who shall be appointed by the Governor subject to confirmation by the Senate. ~~The three~~ Three (3) remaining members of the commission shall be the Director of the Department of Economic Development, the President of the Arkansas Development Finance Authority, and the Chief Fiscal Officer of the State.

(c) The Governor shall appoint two (2) members from each congressional district as the districts were constituted at the time of the passage of this subchapter.

(d) The eight (8) members so appointed by the Governor shall be representatives of the private sector of the state and four (4) of the members so appointed shall be persons with knowledge and experience in the fields of:

- (1) Aviation and aerospace manufacturing, operation, or repair;
- (2) Banking and finance;
- (3) Business and industry; and
- (4) Education.

~~(e) In addition to the eleven (11) members of the commission, there~~ There shall be one (1) ~~nonvoting ex officio member representing the membership of the Senate, as~~ appointed by the President Pro Tempore of the Senate; and one (1) ~~nonvoting ex officio member representing the membership of the House of Representatives, as~~ appointed by the Speaker of the House of Representatives.

(f) ~~Members shall be appointed by the Governor shall serve~~ for terms of four (4) years each. ~~Ex officio members~~ Members appointed by the Speaker and President Pro Tempore shall serve two-year terms. Members shall hold office for the terms of their appointments and until their successors shall have been appointed and qualified.

(g) In the event of a vacancy in the membership of the commission, such vacancy shall be filled by appointment by the ~~Governor~~ appointing authority for the remainder of the unexpired portion of the term of the member.

(h) A member of the commission may be removed by the ~~Governor~~ appointing authority for cause, stated in writing, after a hearing thereon or upon joint address by a majority of both houses of the General Assembly at a special or regular session thereof."

AND

Page 8, lines 23 through 33, delete Section 10 and substitute the following:

"SECTION 10. Arkansas Code 15-12-101 is amended to read as follows:

15-12-101. Creation - Members - Meetings.

(a) There is established the Arkansas Natural and Cultural Resources Council, which shall consist of ~~nine (9)~~ eleven (11) voting members ~~and two (2) nonvoting members~~ as follows:

~~(1) Voting members of the council shall include:~~

~~(A)(1)~~ The Director of the Department of Parks and Tourism;

~~(B)(2)~~ The Director of the Department of Arkansas Heritage;

~~(C)(3)~~ The Chairman of the State Parks, Recreation, and Travel Commission or his or her designee;

~~(D)(4)~~ The Chairman of the Arkansas Natural Heritage Commission or his or her designee;

~~(E)(5)~~ The Commissioner of State Lands;

~~(F)(i)(6)~~ Two (2) resident electors of this state as public members who are representative of recreation groups, conservation groups, or other groups interested in the wise use, preservation, and conservation of Arkansas' natural or cultural resources;

~~(G)(7)~~ One (1) member to represent Arkansas cities and towns, to be named by the Governor from a list of three (3) names recommended to the Governor by the Arkansas Municipal League. This member shall serve a term of two (2) years or until his successor is appointed and qualified; ~~and~~

~~(H)(8)~~ One (1) member to represent Arkansas counties, who shall be appointed by the Governor from a list of three (3) names submitted to the Governor by the Arkansas County Judges Association. This member shall serve a term of two (2) years or until his successor is appointed and qualified;

(9) One (1) member appointed by the Speaker of the House of Representatives; and

(10) One (1) member appointed by the President Pro Tempore of the Senate.

~~(i)(b)~~ The appointments under subdivision (a)(6)-(8) shall be made by the Governor and, insofar as possible, shall be made from names recommended to the Governor by groups representative of those organizations.

~~(iii)(a)(c)(1)~~ One (1) member appointed under subdivision (a)(6) shall represent rural areas and will be chosen from a list of names submitted to the Governor by the Arkansas Forestry Association.

~~(b)(2)~~ The other member appointed under subdivision (a)(6) shall represent urban areas.

~~(iv)(d)~~ ~~Appointed members~~ Members appointed under subdivisions (a)(7) and (8) shall serve for four-year terms;

~~(G) One (1) member to represent Arkansas cities and towns, to be named by the Governor from a list of three (3) names recommended to the Governor by the Arkansas Municipal League. This member shall serve a term of two (2) years or until his successor is appointed and qualified; and~~

~~(H) One (1) member to represent Arkansas counties, who shall be appointed by the Governor from a list of three (3) names submitted to the Governor by the Arkansas County Judges Association. This member shall serve a term of two (2) years or until his successor is appointed and qualified;~~

~~(2) Nonvoting members of the council shall consist of:~~

~~(A) A member of the House of Representatives, who shall be appointed by the Speaker of the House of Representatives. This member shall serve until the next following regular session of the General Assembly, at which time a successor member shall be appointed; and~~

~~(B) A member of the Senate, who shall be appointed by the President Pro Tempore of the Senate. This member shall serve until the next following regular session of the General Assembly, at which time a successor member shall be appointed.~~

~~(b)~~(e) Members of the council shall serve without pay; provided, that:

(1)(A) The Director of the Department of Parks and Tourism, the Director of the Department of Arkansas Heritage, the Chairman of the State Parks, Recreation, and Travel Commission or his or her designee, and the Chairman of the Arkansas Natural Heritage Commission or his or her designee may receive expense reimbursement for attending meetings of the council as provided by ~~§ 25-16-901 et seq~~ § 25-16-902.

(B) These allowances shall be paid from funds appropriated for the support of their respective agencies;

(2)(A) The ~~Governor's~~ appointees to the council under subdivisions (a)(6)-(10), including the city and county representatives on the council, shall be entitled to reimbursement for reasonable and necessary expenses incurred for meals, lodging, and travel in attending council meetings.

(B) Expenses shall be paid from funds appropriated for the support of the Department of Arkansas Heritage; and

~~(3) The nonvoting legislative members of the council shall receive, in lieu of reimbursement for meals, lodging, and travel, the same per diem and mileage allowance for each day in attending meetings of the council as is authorized by law for attending meetings of interim committees of the General Assembly and shall be paid from funds appropriated for that purpose.~~

~~(c)~~(f) All action by the council shall be taken by the vote of a majority of the ~~nine (9) voting~~ members of the council. ~~The nonvoting members of the council may participate in all debate and discussion before the council, but shall abstain from voting on any matter before the council.~~

~~(d)~~(1)(g)(1) The council shall organize by choosing one (1) of its voting members to serve as Chairman of the Arkansas Natural and Cultural Resources Council and shall elect such other officers deemed necessary for the functioning of the council.

(2) The Director of the Department of Arkansas Heritage shall serve as Secretary of the Arkansas Natural and Cultural Resources Council and shall serve as disbursing officer of any funds appropriated for or administered by the council.

~~(e)~~(h) The council shall meet on call of the chairman or upon written request of not less than four (4) voting members or at such times as provided in rules adopted by the council."

AND

Page 9, lines 14 through 21, delete Section 12 and substitute the following:

"SECTION 12. Arkansas Code 15-20-305(a) through (f) are amended to read as follows:

(a)(1) The Arkansas Natural Heritage Commission shall consist of ~~nine~~ (9) fifteen (15) members.

(2)(A)(i) Nine (9) of the members shall be appointed by the Governor from persons with an interest in the preservation of natural areas, with two (2) members to be appointed from each congressional district and one (1) member to be appointed from the state at large.

(2)(ii) One (1) member of the commission shall be a member of the board of directors of a levee or drainage district.

(3)(iii) One (1) member shall be chosen from a list of five (5) persons jointly nominated by the Arkansas Farm Bureau Federation, the Arkansas Farmers' Union, and the Arkansas Agricultural Council.

(4)(iv) One (1) member shall be chosen from a list of five (5) persons nominated by the Arkansas Wood Products Association.

(5)(v) One (1) member shall be chosen from a list of five (5) persons nominated by the Arkansas Wildlife Federation.

(B) Three (3) members shall be appointed by the Speaker of the House of Representatives to serve at the pleasure of the Speaker.

(C) Three (3) members shall be appointed by the President Pro Tempore of the Senate to serve at the pleasure of the President Pro Tempore.

(b) Any successor appointments and appointments to vacancies on the commission shall be appointed in the same manner.

(c) Members ~~shall be appointed for~~ by the Governor shall serve terms of nine (9) years, and all members shall serve until their successors have been appointed and qualified.

(d) When an appointment is made to fill a vacancy, the appointment shall be for the remaining term of the position vacated.

(e) A member of the commission appointed by the Governor who has served two (2) consecutive full terms shall not be eligible for reappointment for a period of one (1) year following the expiration of the second full term.

(f) Members of the commission appointed by the Governor shall be subject to confirmation by the Senate.

SECTION 13. Arkansas 15-20-307 is repealed.

~~15-20-307. Commission — Advisors.~~

~~(a) Three (3) members of the House of Representatives chosen in such manner as the House of Representatives may elect and three (3) members of the Senate chosen in such manner as the Senate may elect shall serve as official advisors to the Arkansas Natural Heritage Commission.~~

~~(b) They shall have a right to attend and participate in all meetings of the commission and shall employ all rights and duties of membership except the right to vote."~~

AND

Appropriately renumber the subsequent sections of the bill.

AND

Page 13, lines 25 through 30, delete the current Section 22 and substitute the following:

"SECTION 23. Arkansas Code 22-3-804(a) through (d) are amended to read as follows:

22-3-804. Arkansas Governor's Mansion Commission - Creation, members, and proceedings.

(a)(1) There is created the Arkansas Governor's Mansion Commission, hereinafter referred to as "the commission", to be composed of eight (8) members appointed by the Governor, at least one (1) of whom shall reside in each congressional district as the districts shall be established by law; three (3) members appointed by the Speaker of the House of Representatives to serve at the pleasure of the Speaker; and three (3) members appointed by the President Pro Tempore of the Senate to serve at the pleasure of the President Pro Tempore.

(2) The members serving on March 1, 1997, shall continue to serve the remainder of their terms.

(3) The Governor shall appoint three (3) at-large members immediately.

(b) The Governor shall designate one (1) member of the commission as chairman and the member so designated shall retain the position of chairman for the duration of his term on the commission.

(c) At-large Governor appointee members of the commission shall serve at the pleasure of the Governor. Members of the commission who are not at-large Governor appointee members shall serve for terms of five (5) years.

(d) If a vacancy occurs by reason of resignation or otherwise, the ~~Governor~~ original appointing authority shall appoint a member to fill that vacancy for the unexpired term of the member whose position has become vacant.

SECTION 24. Arkansas Code 22-3-806 is repealed.

~~22-3-806. Mansion Advisory Council.~~

~~(a) There is created a Mansion Advisory Council, to be composed of three (3) members of the Senate appointed by the President Pro Tempore, three (3) members of the House of Representatives appointed by the Speaker, and any other persons as the commission or the Governor may select.~~

~~(b) The council shall assist the commission in any manner requested by the commission.~~

~~(c) Members of the council shall be notified of all meetings of the commission as provided in § 22-3-804, shall have the right to take part in all meetings of the commission, and shall have and enjoy all rights and privileges of membership on the commission except the right to vote and to receive per diem payments."~~

AND

Appropriately renumber the subsequent sections of the bill.

The Amendment was read _____

By: Representative Bradford

LH/MHF

MHF698

Chief Clerk