

ARKANSAS SENATE
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of Senate Bill No. 1181

TO AMEND ARKANSAS LAW CONCERNING THE MEMBERSHIP OF THE ARKANSAS PUBLIC SERVICE
COMMISSION.

Amendment No. 1 to Senate Bill No. 1181

Amend Senate Bill No. 1181 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 23-2-101 is amended to read as follows:
23-2-101. Members generally.

(a)(1) The Arkansas Public Service Commission shall consist of three
(3) members to be known as commissioners, ~~one (1) of whom shall be a lawyer.~~

(2) Each commissioner shall have resided in the state for five
(5) years and shall be a qualified elector.

(b) Each commissioner before entering on his or her duties shall take
the oath prescribed by the Constitution, shall swear that he or she is not
pecuniarily interested in any public utility or affiliate, or any public
carrier or affiliate therewith, as employee, stockholder, or security holder.

(c) Each commissioner shall execute a bond to the State of Arkansas in
the sum of ten thousand dollars (\$10,000), conditioned for the faithful
discharge and performance of his or her duties.

(d) Each commissioner shall receive an annual salary of five thousand
dollars (\$5,000), payable semimonthly or monthly in conformity with
prevailing practices of other officers of the state.

(e)(1)(A) ~~At the expiration of each of the commissioner's terms, the
Governor, subject to the approval of the Senate, shall appoint one (1) member
who~~ Each commissioner shall hold office for a term of six (6) years.

~~(2)(B)~~ Each commissioner shall hold office during the term for
which he or she was appointed and until his or her successor is appointed and
qualified.

(2)(A) Two (2) commissioners shall be appointed by the Governor
subject to the approval of the Senate.

(B) One (1) commissioner appointed by the Governor shall
be a lawyer.

(3)(A) One (1) commissioner shall be appointed by the President
Pro Tempore of the Senate or the Speaker of the House of Representatives.

(B) The President Pro Tempore of the Senate and the
Speaker of the House of Representatives shall alternate who appoints the



commissioner at the expiration of each term for that commissioner.

(f) The Governor shall designate one (1) of the commissioners as chair.

(g) If there is a vacancy in office of a commissioner, the person who originally appointed the commissioner shall appoint a person to the commission to finish that commissioner's term.

SECTION 2. Arkansas Code § 23-2-102(a), concerning appointment of special commissioners to the Arkansas Public Service Commission, is amended to read as follows:

(a) When ~~any~~ a member of the Arkansas Public Service Commission is disqualified for any reason to hear and participate in the determination of ~~any~~ a matter pending before the commission, the ~~Governor~~ person who originally appointed the commission member shall appoint a qualified person to hear and participate in the decision on the particular matter.

SECTION 3. DO NOT CODIFY. TEMPORARY LANGUAGE. A member of the Arkansas Public Service Commission shall not be removed from office upon the effective date of this act. The first commissioner who finishes his or her six-year term after the effective date of this act shall be replaced by the appointment of the President Pro Tempore of the Senate. Upon completion of the President Pro Tempore of the Senate's appointed commissioner's term, the Speaker of the House of Representatives shall appoint the next commissioner. That position on the commission shall continue to be appointed by alternating appointments by the President Pro Tempore of the Senate and the Speaker of the House of Representatives as prescribed by this act."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator B. King

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Secretary