

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1907

By: Representative Mahony

"AN ACT TO PROVIDE THAT WHEN ANY MEMBER OF THE ARKANSAS TRANSPORTATION COMMISSION IS TEMPORARILY UNABLE TO SERVE BECAUSE OF ILLNESS OR ANY OTHER REASON OR WHEN ANY SUCH MEMBER IS DISQUALIFIED TO SERVE IN A PARTICULAR MATTER PENDING BEFORE THE COMMISSION, A TEMPORARY MEMBER OF THE COMMISSION SHALL BE APPOINTED BY THE GOVERNOR; TO PRESCRIBE THE COMPENSATION OF SUCH MEMBER OF THE TRANSPORTATION COMMISSION; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Hereafter, when any member of the Arkansas Transportation Commission is temporarily unable to perform his duties because of illness or other reason or when any member of the Transportation Commission disqualifies himself or is disqualified for any reason to participate in any matter pending before the Commission, the Governor shall appoint a temporary member of the Commission to serve during the regular member's absence or to serve in the matter pending before the Commission for which the regular member is disqualified, as the case may be. The person so appointed as a temporary member of the Commission shall be a qualified elector of the State of Arkansas and shall have resided in the State for at least five (5) years immediately preceding the time of appointment.

SECTION 2. Any person appointed by the Governor to serve as a temporary member of the Transportation Commission as provided in Section 1 hereof shall be entitled to compensation at the rate of fifty dollars (\$50.00) per day for each day such person spends in actual attendance at Transportation Commission meetings and for each day such person is actually engaged in carrying out his or her official responsibilities as a member of the Commission.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly that because of the case *Ricarte v. State*, CR 86-31, a question has arisen over the validity of Act 1185 of the Extended Session of 1976; that this Act is a reenactment of the former law; and that the immediate passage of this Act is necessary to clarify the state of the law on this issue. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

