

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

HOUSE BILL

4 **By: Representatives Hogue, Maddox, Fletcher, Hill**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 10-3-301 (a), 10-3-403 (a),
9 AND 10-3-502 (b) CONCERNING THE USE OF CONGRESSIONAL
10 DISTRICTS IN THE SELECTION OF HOUSE MEMBERS TO THE
11 LEGISLATIVE COUNCIL, LEGISLATIVE JOINT AUDITING COMMITTEE
12 AND THE JOINT BUDGET COMMITTEE; AND FOR OTHER PURPOSES."

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Subtitle

15 "AN ACT CONCERNING THE SELECTION OF HOUSE MEMBERS TO THE
16 LEGISLATIVE COUNCIL, LEGISLATIVE JOINT AUDITING COMMITTEE
17 AND THE JOINT BUDGET COMMITTEE."

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

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21 SECTION 1. Arkansas Code 10-3-301 (a) is amended to read as follows:

22 "(a) An ad interim committee of the General Assembly is hereby
23 established as a Legislative Council, which shall consist of thirty-six (36)
24 members to be selected as follows:

25 (1) The Senate of the General Assembly shall select sometime
26 before adjournment of each regular session twelve (12) members, with three (3)
27 members to be chosen from each of the four (4) congressional districts of the
28 state in effect on January 1, 1987, by caucus of the members of the Senate
29 residing in their respective congressional districts;

30 (2) The House of Representatives of the General Assembly shall
31 select sometime before adjournment of each regular session twenty (20)
32 members, with five (5) members to be chosen from each of the four (4)
33 congressional districts in effect on January 1, 1993, by caucus of the members
34 of the House of Representatives in their respective congressional districts.
35 The congressional district of a member of the House of Representatives shall

1 be the district in which he resides unless the member elects to designate as
2 his congressional district the congressional district in which a majority of
3 the people in his district resides. However, no more than one (1) member
4 shall reside in the same county;

5 (3) The President Pro Tempore of the Senate, the Speaker of the
6 House of Representatives, and the Chairman and Vice-Chairman of the
7 Legislative Joint Auditing Committee shall be ex officio members of the
8 Legislative Council and shall enjoy the same rights and privileges as other
9 council members;

10 (4) Each member of the House of Representatives who was serving
11 as an at large member of the Council on January 1, 1987, shall continue to
12 serve as an at large member until he or she resigns that position or ceases to
13 be a member of the House of Representatives or until a majority of the members
14 of the House vote against his or her continuance in that position; after
15 which, the at large position formerly held by the person shall be a district
16 position and shall be filled by caucus of House members from the appropriate
17 congressional district. So long as one (1) or more of the at large members of
18 the Council continue to serve as at large members, the number of members to be
19 selected by caucus in each of the four (4) congressional districts shall be
20 reduced by the number of at large members on the Council residing in each of
21 the congressional districts."

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23 SECTION 2. Arkansas Code 10-3-403 (a) is amended to read as follows:

24 "(a) The Legislative Joint Auditing Committee shall consist of
25 thirty-six (36) members of the General Assembly, to be selected as follows:

26 (1) Sometime before adjournment of each regular session, the Senate
27 shall select twelve (12) members, with three (3) to be chosen from each of the
28 four (4) congressional districts in effect on January 1, 1987, by caucus of
29 the Senators residing in the respective congressional districts.

30 (2) Sometime before adjournment of each regular session, the House of
31 Representatives shall select twenty (20) members, with five (5) members to be
32 chosen from each of the congressional districts in effect on January 1, 1993.
33 The congressional district of a member of the House of Representatives shall
34 be the district in which he resides unless the member elects to designate as
35 his congressional district the congressional district in which a majority of

1 the people in his district resides. However, no more than two (2) members
2 shall reside within the same county.

3 (3) The Speaker of the House, the President Pro Tempore of the Senate,
4 and the Chairman and Vice-Chairman of the Arkansas Legislative Council shall
5 be ex officio members of the committee and shall enjoy all the rights and
6 privileges of other members of the committee.

7 (4) Each member of the House of Representatives who was serving as an
8 at large member of the committee on January 1, 1987, shall continue to serve
9 as an at large member until he or she resigns that position or ceases to be a
10 member of the House of Representatives or until the majority of the members of
11 the House vote against his or her continuance in the position; after which,
12 the at large position formerly held by such person shall be a district
13 position and shall be filled by caucus of House members from the appropriate
14 congressional district. As long as one (1) or more of the at large House
15 members of the committee continues to serve the number of congressional
16 district positions in each district shall be reduced by the number of at large
17 members residing in the district."

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19 SECTION 3. Arkansas Code 10-3-502 (b) is amended to read as follows:

20 "(b) The House members shall be selected as follows: Five (5) members
21 from each congressional district as they exist on January 1, 1993, to be
22 selected by caucus of the House members residing within the district.
23 Furthermore, the House members of each congressional district shall select two
24 (2) alternates for the five (5) members selected from the congressional
25 district. The congressional district of a member of the House of
26 Representatives shall be the district in which he resides unless the member
27 elects to designate as his congressional district the congressional district
28 in which a majority of the people in his district resides."

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30 SECTION 4. For the purposes of Arkansas Code §10-3-301, §10-3-403, and
31 §10-3-502, a member of the House of Representatives shall only make one (1)
32 designation on his congressional district. The designation shall be effective
33 until the next apportionment of the districts of the House of Representatives
34 or until the member ceases to serve. The designation shall be in writing and
35 shall be filed with the Speaker of the House.

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SECTION 5. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 6. 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 7. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 8. EMERGENCY. It is hereby found and determined by the General Assembly that this act affects the method of selection of members of the House of Representatives to the Legislative Council, Legislative Joint Auditing Committee and the Joint Budget Committee; and that this act is immediately necessary to provide for the proper selection of such members during the Seventy-Ninth General Assembly. 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.

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