

1 State of Arkansas

Call Item 3

2 80th General Assembly

A Bill

3 First Extraordinary Session, 1995

HOUSE BILL 1004

4 By: House Management Subcommittee

5

6

7

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 10-3-301(b), 10-3-403(a)(1)
9 AND (2) AND 10-3-502(b) AND (c) TO CLARIFY THE SOURCE OF
10 PAYMENT OF PER DIEM AND MILEAGE OF FIRST ALTERNATE MEMBERS
11 OF THE LEGISLATIVE COUNCIL, THE LEGISLATIVE JOINT AUDITING
12 COMMITTEE AND THE JOINT BUDGET COMMITTEE; AND FOR OTHER
13 PURPOSES."

14

15

Subtitle

16 "RELATING TO SOURCE OF PAYMENT OF PER
17 DIEM AND MILEAGE OF 1ST ALTERNATES OF
18 COUNCIL, AUDIT AND JBC."

19

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

21

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

23 "(b) In order that there may be no vacancies on the Council at any
24 time, at the time the members are selected to the Council by the Senate and
25 by the House, there shall also be selected in the same manner, one (1) first
26 alternate member and one (1) second alternate member for each regular member.
27 First alternate members shall also be non-voting members of the Council and
28 shall be entitled to per diem and mileage for attending all meetings of the
29 Council. First alternate members of the Council shall have a vote in matters
30 before the Council if the regular member which the first alternate represents
31 is not in attendance. Second alternate members of the Council shall have a
32 vote in matters before the Council if the regular member and the first
33 alternate member which the second alternate represents are not in attendance.
34 First alternate members attending as non-voting members of the Council shall
35 receive per diem and mileage to be paid in the same manner and from the same

1 source as regular members of the Council."

2

3 SECTION 2. Arkansas Code 10-3-403(a)(1) and (2) are amended to read as
4 follows:

5 "(1) Sometime before adjournment of each regular session, the Senate
6 shall select twelve (12) members, with three (3) to be chosen from each of
7 the four (4) congressional districts in effect on January 1, 1987, by caucus
8 of the Senators residing in their respective congressional districts. At the
9 time of selecting members, the Senate shall also select in the same manner
10 one first alternate and one second alternate for each member selected and the
11 first alternate shall also be non-voting members of the Committee and shall
12 be entitled to receive per diem and mileage for attending all meetings of the
13 Committee. First alternate members of the Committee shall have a vote in
14 matters before the committee if the regular member which the first alternate
15 represents is not in attendance. Second alternate members of the Committee
16 shall have a vote in matters before the Committee if the regular member and
17 first alternate member which the second alternate represents are not in
18 attendance. First alternate members attending as non-voting members of the
19 committee shall receive per diem and mileage to be paid in the same manner
20 and from the same source as regular members of the committee.

21 (2) The House of Representatives shall select twenty (20) members in
22 accordance with the procedure prescribed by House Rules. At the time of
23 selecting members, the House shall also select in the same manner one first
24 alternate and one second alternate for each member selected and the first
25 alternates shall also be non-voting members of the Committee and shall be
26 entitled to receive per diem and mileage for attending all meetings of the
27 Committee. First alternate members of the Committee shall have a vote in
28 matters before the committee if the regular member which the first alternate
29 represents is not in attendance. Second alternate members of the Committee
30 shall have a vote in matters before the Committee if the regular member and
31 first alternate member which the second alternate represents are not in
32 attendance. First alternate members attending as non-voting members of the
33 committee shall receive per diem and mileage to be paid in the same manner
34 and from the same source as regular members of the committee."

35

1 SECTION 3. Arkansas Code 10-3-502(b) and (c) are amended to read as
2 follows:

3 "(b) The House shall select the members and their alternates in
4 accordance with the procedure prescribed by House Rules. The first alternate
5 members shall also be non-voting members of the Committee and shall be
6 entitled to receive per diem and mileage for attending meetings of the
7 Committee. First alternate members of the Committee shall have a vote in
8 matters before the Committee if a regular member which the first alternate
9 represents is not in attendance. Second alternate members of the Committee
10 shall have a vote in matters before the Committee if a regular member and a
11 first alternate member which the second alternate represents are not in
12 attendance.

13 (c) The Senate members of the Joint Budget Committee shall be selected
14 as follows: Five (5) members from each congressional district as they
15 existed on March 1, 1991, based on seniority within the Senate. One (1)
16 Senate alternate member shall be selected from each congressional district.
17 Alternate members shall also be non-voting members of the Committee and shall
18 be entitled to receive per diem and mileage for attending meetings of the
19 Committee. First alternate members attending as non-voting members of the
20 committee shall receive per diem and mileage to be paid in the same manner
21 and from the same source as regular members of the committee."
22

23 SECTION 4. Section 21 of Act 1312 of 1995 is amended to read as
24 follows:

25 "SECTION 21. In the event that an elected constitutional officer
26 relocates his/her office and related staff from the State Capitol Building,
27 and does not have authorized in his/her biennial appropriation act an amount
28 sufficient to pay the moving costs, rent, costs of making necessary
29 modifications to the rented space, or other costs associated with the move,
30 the Bureau of Legislative Research of the Arkansas Legislative Council may
31 expend from appropriations authorized for the Bureau such additional funds as
32 may be required to assist such elected constitutional officer in paying the
33 additional costs. The Secretary of State and the Joint Interim Committee on
34 Legislative Facilities shall jointly decide who shall occupy the vacated
35 areas."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

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 those provisions of Act 1350 of 1995 which provide that per diem and mileage of non-voting first alternate members of the Legislative Council, the Legislative Joint Auditing Committee, and the Joint Budget committee are to be paid by the respective houses of the General Assembly have resulted in an unnecessary and undesirable duplication of work for the staffs of the House of Representatives, the Senate, the Legislative Joint Auditing Committee, and the Bureau of Legislative Research; that this act is designed to assure that per diem and mileage of non-voting first alternate members of the Council and the committees are paid in the same manner and from the same source as regular members of the Council and committees and should be given effect immediately. Therefore an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/ Roger Rorie

- 1
- 2
- 3
- 4
- 5
- 6