

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4
5 By: Senator Boozman

A Bill

SENATE BILL 672

For An Act To Be Entitled

"AN ACT TO CREATE SENATE AND HOUSE COMMITTEES ON FEDERAL
MANDATES; AND FOR OTHER PURPOSES."

Subtitle

"AN ACT TO CREATE SENATE AND HOUSE
COMMITTEES ON FEDERAL MANDATES."

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

SECTION 1. (a) There is hereby created a Senate Committee on Federal Mandates, and a House Committee on Federal Mandates.

(b) The Senate Committee on Federal Mandates shall be composed of five (5) Senators appointed by the President Pro Tempore of the Senate provided that no more than three (3) shall be from the same political party.

(c) The House Committee on Federal Mandates shall be composed of five (5) members of the House of Representatives appointed by the Speaker of the House provided that no more than three (3) shall be from the same political party.

(d) Any vacancy occurring in either committee shall be filled for any unexpired term in the same manner as the original appointment.

(e) Members of the committee shall be appointed no later than the first day of each regular session of the General Assembly.

(f) Each member shall serve on the committee until his successor is appointed, or until he is no longer a member of the Senate if he was appointed to the Senate committee, or until he is no longer a member of the House of Representatives if he was appointed to the House Committee.

SECTION 2. All bills introduced into either House of the General

1 Assembly shall contain a statement as to whether the bill is required by a
2 mandate imposed by federal law. Those bills which indicate they are intended
3 to comply with a federal mandate shall be referred to the Federal Mandate
4 Committee of the chamber of introduction. The committee shall report to the
5 presiding officer of the chamber whether or to what extent the committee
6 determines that the bill is required to comply with a federal mandate. Upon
7 receipt of the committee report the presiding officer shall re-refer the bill
8 to the appropriate committee for further consideration. Any bill which
9 purports to not be required by a federal mandate may be referred to the
10 appropriate committee on federal mandates upon motion to the presiding officer
11 of the chamber considering the bill.

12

13 SECTION 3. The Senate and House Committees on Federal Mandates may
14 review proposed bills and existing laws to determine whether any were enacted
15 in order to comply with the federal mandate which the committee determines to
16 have been unconstitutional, and in that event the chairman of the committee
17 shall introduce a Resolution requesting the Attorney General of the State of
18 Arkansas to initiate legal proceedings in the appropriate federal court to
19 enjoin the unconstitutional federal mandate.

20

21 SECTION 4. If the appropriate committee on federal mandates determines
22 that a bill before it is not required by a federal mandate, it shall report
23 the same to the presiding officer of the chamber who shall re-refer the bill
24 to the appropriate committee.

25

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

29

30 SECTION 6. If any provision of this act or the application thereof to
31 any person or circumstance is held invalid, such invalidity shall not affect
32 other provisions or applications of the act which can be given effect without
33 the invalid provision or application, and to this end the provisions of this
34 act are declared to be severable.

35

36 SECTION 7. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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