

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas *As Engrossed: H1/14/99 H1/18/99 H1/20/99 H1/21/99*

2 82nd General Assembly

A Bill

3 Regular Session, 1999

HOUSE BILL 1080

4

5 By: Representatives Faris, Rodgers, Milum, Hathorn, R. Smith, Bond, Scrimshire, Glover, J. Jeffress,
6 *Gillespie, G. Jeffress, Trammell, Shoffner, Milligan, Allison, Horn, Cleveland, Napper, Biggs,*
7 *Haak, Bennett, Prater, Agee, King, Weaver, Hickinbotham, Creekmore, T. Steele, Wilkinson, Judy,*
8 *Womack*

9

10

11

For An Act To Be Entitled

12

"AN ACT TO ENSURE EQUAL GEOGRAPHIC REPRESENTATION ON
13 THE PUBLIC SERVICE COMMISSION BY APPOINTING THE
14 MEMBERS FROM CONGRESSIONAL DISTRICTS; AND FOR OTHER
15 PURPOSES."

16

17

Subtitle

18

"AN ACT TO ENSURE EQUAL GEOGRAPHIC
19 REPRESENTATION ON THE PUBLIC SERVICE
20 COMMISSION BY APPOINTING THE MEMBERS
21 FROM CONGRESSIONAL DISTRICTS."

22

23

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

25

26 SECTION 1. Arkansas Code 23-2-101 is amended to read as follows:

27 "23-2-101. Members generally.

28 (a)(1) The Arkansas Public Service Commission shall consist of ~~three~~
29 ~~(3) members to be known as commissioners, one (1) of whom shall be a lawyer~~
30 five (5) members appointed by the Governor and subject to confirmation by the
31 Senate. The commissioners serving on February 1, 1999, shall continue to
32 serve the remainder of their terms of office and their successors shall be
33 appointed as provided in this section.

34 (2) In order to provide adequate and equitable geographic representation
35 for the entire state future appointments shall be as follows: one (1)
36 commissioner shall be appointed from each congressional district and one (1)

JMB067

0111991214. JMB067

1 commissioner shall be appointed from the state-at-large. For purposes of this
2 section the boundaries of the congressional district shall be as they were on
3 January 1, 1999. One commissioner may be an attorney licensed by the Arkansas
4 Supreme Court; one commissioner may be a certified public accountant licensed
5 by the Arkansas State Board of Public Accountancy; and the other three
6 commissioners shall be designated as consumer representatives. Each
7 commissioner appointed from a congressional district shall have resided in the
8 state congressional district from which appointed for five (5) years at least
9 one (1) year prior to appointment and shall be a qualified elector of that
10 congressional district. The commissioner appointed from the state-at-large
11 shall have resided in the state for at least one (1) year prior to appointment
12 and shall be a qualified elector of the state.

13 (3) In order to timely increase the Public Service Commission from three
14 (3) to five (5) members, the Governor shall immediately appoint the two (2)
15 additional members who must meet criteria established in subdivision (a)(2).
16 One (1) of the additional members shall be appointed for a two-year term and
17 one (1) member shall be appointed for a three-year term. Successors shall
18 serve four-year terms.

19 (4) If any commissioner appointed from a congressional district moves
20 his permanent residence from that congressional district the commissioner
21 shall thereafter be disqualified from the office and the Governor shall fill
22 the vacancy by appointing a person who meets the qualifications prescribed by
23 this section. When a commissioner appointed from the state-at-large moves his
24 permanent residence outside this state the commissioner shall thereafter be
25 disqualified from the office and the Governor shall fill the vacancy by
26 appointing a person who meets the qualifications prescribed by this section.

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

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

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

