

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

HOUSE BILL 1818

4
5 By: Representative Hathorn
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For An Act To Be Entitled

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9 "AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE
10 ANNOTATED RELATING TO THE SUPREME COURT LIBRARY; AND
11 FOR OTHER PURPOSES. "

Subtitle

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14 "TO AMEND VARIOUS SECTIONS OF THE
15 ARKANSAS CODE RELATING TO THE SUPREME
16 COURT LIBRARY. "

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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 Annotated § 16-11-110 is amended to read as
22 follows:

23 ~~"(a)(1) The Clerk of the Supreme Court shall take charge of and keep all~~
24 ~~books directed to be placed in his custody by this section, and take charge of~~
25 ~~and expend, under the directions of the Supreme Court, all moneys appropriated~~
26 ~~or collected under the provisions of this section for the increase of the~~
27 ~~library and paying its expenses. Except as provided in this section, the~~
28 ~~Supreme Court Library shall be under the exclusive control and supervision of~~
29 ~~the Justices of the Supreme Court, who are hereby authorized to make such~~
30 ~~rules and regulations regarding its use and operation as they may deem proper.~~

31 ~~(2) The clerk shall, before entering upon the duties of his~~
32 ~~office, give bond to the State of Arkansas, with security to be approved by~~
33 ~~the Supreme Court, for the faithful discharge of his duties as librarian in~~
34 ~~the penalty of five thousand dollars (\$5,000). The bond shall be filed with~~
35 ~~the Secretary of State. There shall be a director of the Supreme Court~~
36 ~~Library who shall be nominated by the Director of the Administrative Office of~~

1 the Courts, subject to the approval of the Supreme Court. Subsequent to the
2 appointment, the Director of the Supreme Court Library shall hold office at
3 the pleasure of the Supreme Court.

4 (b) All books obtained and placed in the library shall be the absolute
5 property of the state, subject to the control and management of the Supreme
6 Court, except items deposited in the library by the United States
7 Superintendent of Documents under the Federal Depository Library program, the
8 reports of the Supreme Court of this state directed to be placed therein,
9 which may be exchanged by the Director of the Supreme Court Library Librarian
10 for the reports of the other states or of the United States courts, or for
11 other law books, under the direction of the Supreme Court, ~~reserving for the~~
12 ~~use of the Supreme Court three (3) copies of the reports.~~

13 (c) The Director of the Supreme Court Library Librarian shall have
14 authority to accept any donation of books, money, or property to increase the
15 library, ~~and he shall be responsible on his bond for the faithful disposition~~
16 ~~of any such donation.~~ Any donation of money shall be deposited in the Supreme
17 Court Library Fund.

18 (d) The Secretary of State is directed, upon demand, to deliver to the
19 ~~Clerk~~ Director of the Supreme Court Library, whenever there are two (2) or
20 more copies of any statute book, or book of reports of any court of the United
21 States, or any other law book in his office, one (1) copy of every such
22 statute book or book of reports or law book.

23 (e)(1) Every person who is enrolled as an attorney in the Supreme Court
24 shall pay a fee ~~of twenty dollars (\$20.00)~~ determined by rule of the Supreme
25 Court for enrolling and recording the license and the certified transcript
26 thereof furnished to the attorney.

27 (2) The clerk shall deposit this fee in the Supreme Court Library
28 Fund to be used by the Supreme Court for the maintenance and improvement of
29 the Supreme Court Library.

30 (f) ~~It shall not be lawful for the justices of the Supreme Court or any~~
31 ~~other person to remove from the library and consultation room any books to be~~
32 ~~deposited in the library, except for use in the Supreme Court room.~~

33 (1) The Director of the Supreme Court Library is authorized and
34 empowered at any time to dispose of any books, magazines, papers, or files
35 which may be in the custody or care of the library and which may be found by
36 the court to be no longer useful.

1 (2) The disposition may be by any method permitted by law, as the
2 Director may determine. If the disposition is by sale, then the proceeds shall
3 be placed in the Supreme Court Library Fund."

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5 SECTION 2. Arkansas Code Annotated § 16-11-111 is hereby repealed.
6 ~~16-11-111. Disposal of books, papers, magazines, and files.~~

7 ~~(a) The Arkansas Supreme Court is authorized and empowered at any time~~
8 ~~to dispose of any books, magazines, papers, or files which may be in the~~
9 ~~library or in the clerk's office and which may be found by the court to be no~~
10 ~~longer useful, by unanimous vote of the justices.~~

11 ~~(b) The disposition may be by sale, gift, or burning, as the justices~~
12 ~~may determine. If the disposition is by sale, then the proceeds shall be~~
13 ~~placed in the Arkansas Supreme Court Library Fund.~~

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15 SECTION 3. All provisions of this act of a general and permanent nature
16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
17 Revision Commission shall incorporate the same in the Code.

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19 SECTION 4. If any provision of this act or the application thereof to
20 any person or circumstance is held invalid, such invalidity shall not affect
21 other provisions or applications of the act which can be given effect without
22 the invalid provision or application, and to this end the provisions of this
23 act are declared to be severable.

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25 SECTION 5. All laws and parts of laws in conflict with this act are
26 hereby repealed.

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