

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas
83rd General Assembly
Regular Session, 2001

As Engrossed: S2/6/01

A Bill

SENATE BILL 374

By: Senator Mahony

For An Act To Be Entitled

AN ACT TO PROVIDE FOR THE SELECTION OF CO-CHAIRMEN AND
CO-VICE CHAIRMEN OF THE LEGISLATIVE JOINT AUDITING
COMMITTEE; AND FOR OTHER PURPOSES.

Subtitle

TO PROVIDE FOR THE SELECTION OF CO-
CHAIRMEN AND CO-VICE CHAIRMEN OF THE
LEGISLATIVE JOINT AUDITING COMMITTEE.

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

SECTION 1. Arkansas Code 10-3-403(a), pertaining to the membership of
the Legislative Joint Auditing Committee, is amended to read as follows:

(a) The Legislative Joint Auditing Committee shall consist of ~~thirty-~~
~~seven (37)~~ members of the General Assembly to be selected as follows:

(1)(A) Sometime before adjournment of each regular session, the
Senate shall select ~~twelve (12)~~ sixteen (16) members, with ~~three (3)~~ four (4)
to be chosen from each of the four (4) congressional districts in effect on
January 1, 1987, by caucus of the Senators residing in their respective
congressional districts.

(B)(i) At the time of selecting members, the Senate shall
also select in the same manner one (1) first alternate and one (1) second
alternate for each member selected.

(ii) The first alternates shall also be nonvoting
members of the committee and shall be entitled to receive per diem and mileage
for attending all meetings of the committee.

(iii) First alternate members of the committee shall

1 have a vote in matters before the committee if the regular member which the
2 first alternate represents is not in attendance.

3 (iv) Second alternate members of the committee shall
4 have a vote in matters before the committee if the regular member and first
5 alternate member which the second alternate represents are not in attendance.

6 (v) First alternate members attending as nonvoting
7 members of the committee shall receive per diem and mileage to be paid in the
8 same manner and from the same source as regular members of the committee.

9 (2)(A) The House of Representatives shall select twenty (20)
10 members in accordance with the procedure prescribed by House Rules.

11 (B)(i) At the time of selecting members, the House shall
12 also select in the same manner one (1) first alternate and one (1) second
13 alternate for each member selected.

14 (ii) The first alternates shall also be nonvoting
15 members of the committee and shall be entitled to receive per diem and mileage
16 for attending all meetings of the committee.

17 (iii) First alternate members of the committee shall
18 have a vote in matters before the committee if the regular member which the
19 first alternate represents is not in attendance.

20 (iv) Second alternate members of the committee shall
21 have a vote in matters before the committee if the regular member and first
22 alternate member which the second alternate represents are not in attendance.

23 (v) First alternate members attending as nonvoting
24 members of the committee shall receive per diem and mileage to be paid in the
25 same manner and from the same source as regular members of the committee.

26 (3) The Speaker of the House, the President Pro Tempore of the
27 Senate, the immediate past ~~chairman~~ Chairperson or past Co-Chairpersons of the
28 Legislative Joint Auditing Committee, and the ~~Chairman and Vice Chairman~~ Co-
29 Chairperson and Co-Vice Chairperson of the Arkansas Legislative Council shall
30 be ex officio members of the committee and shall enjoy all the rights and
31 privileges of other members of the committee.

32
33 SECTION 2. Arkansas Code 10-3-405 is amended to read as follows:

34 10-3-405. Meetings.

35 The Committee shall meet upon call or announcement by ~~the chairman~~
36 either co-chairperson or upon petition of ten (10) of the regular members of

1 the Committee. The official meeting place of the Committee shall be in that
2 portion of the Capitol assigned to the General Assembly by § 10-3-1105.
3 However, the Committee may meet at any other designated place it may deem
4 necessary to the carrying out of its official business.

5
6 SECTION 3. Arkansas Code 10-3-406(b) is amended to read as follows:

7 (b) Meetings of the Legislative Joint Auditing Committee during the
8 legislative session shall be called by ~~the Chairman~~ either Co-Chairperson of
9 the Legislative Joint Auditing Committee who shall be the person who served in
10 this capacity prior to the commencement of the current General Assembly. In
11 such meetings, the primary consideration should be given to matters that
12 require immediate attention and that cannot wait until the new Legislative
13 Joint Auditing Committee is appointed and organized.

14
15 SECTION 4. Arkansas Code 10-3-407(b) is amended to read as follows:

16 (b) (1) Immediately after its organization, the Legislative Joint
17 Auditing Committee shall commence the performance of its duties herein
18 prescribed, ~~and it shall elect a chairman and a vice chairman and define their~~
19 ~~duties.~~

20 (2) The Senate members of the Legislative Joint Auditing
21 Committee shall select one (1) of their number as co-chairperson and one (1)
22 of their number as co-vice chairperson.

23 (3) The House members of the Legislative Joint Auditing Committee
24 shall select one (1) of their number as co-chairperson and one (1) of their
25 number as co-vice chairperson.

26 (4) The Senate co-chairperson shall appoint all Senate
27 Legislative Joint Auditing Committee members of subcommittees of the
28 committee, and the House co-chairperson shall appoint all House Legislative
29 Joint Auditing Committee members to subcommittees of the committee.

30 (5) The Senate co-chairperson shall appoint a Senate Legislative
31 Joint Auditing Committee member as co-chairperson of each of the committee's
32 subcommittees and the House co-chairperson shall appoint a House Legislative
33 Joint Auditing Committee member as the co-chairperson of all subcommittees of
34 the committee.

35 (6) The Senate co-chairperson and House co-chairperson shall
36 alternate in presiding at meetings of the Legislative Joint Auditing Committee

1 unless the co-chairpersons otherwise agree.

3 SECTION 5. Arkansas Code 10-3-411(c) is amended to read as follows:

4 (c) All subpoenas shall be issued by ~~the chairman~~ either co-chairperson
5 of the Committee, or by ~~the vice chairman~~ either co-vice chairperson acting in
6 the absence of ~~the chairman~~ either co-chairperson, after the issuance thereof
7 has been approved by a majority vote of the membership of the Legislative
8 Joint Auditing Committee at a duly called meeting with all members of the
9 Committee having received not less than six (6) days' advance notice thereof.

11 SECTION 6. Arkansas Code 10-3-411(e) is amended to read as follows:

12 (e) The ~~Chairman~~ Co-Chairpersons of the Legislative Joint Auditing
13 Committee ~~is~~ are authorized to administer oaths.

15 SECTION 7. Arkansas Code 10-3-421 is repealed.

16 ~~10-3-421. Federal Audit Subcommittee created—Membership—Chairman—~~
17 ~~Secretary—~~

18 ~~(a) There is created a Federal Audit Subcommittee of the Legislative~~
19 ~~Joint Auditing Committee which shall consist of the following members:—~~

20 ~~(1) The Chairman of the Legislative Joint Auditing Committee;—~~

21 ~~(2) The Vice Chairman of the Legislative Joint Auditing~~
22 ~~Committee; and—~~

23 ~~(3) The immediate past Chairman of the Legislative Joint Auditing~~
24 ~~Committee or, if the immediate past chairman is no longer a member of the~~
25 ~~committee, the third member of the subcommittee shall be a member of the~~
26 ~~Legislative Joint Auditing Committee designated jointly by the other two (2)~~
27 ~~members of the subcommittee.—~~

28 ~~(b) The Chairman of the Legislative Joint Auditing Committee shall be~~
29 ~~the Chairman of the Federal Audit Subcommittee. The Legislative Auditor shall~~
30 ~~be secretary of the subcommittee.—~~

32 SECTION 8. Arkansas Code 10-3-301(a)(3), pertaining to the membership
33 of the Legislative Council, is amended to read as follows:

34 (3) The President Pro Tempore of the Senate, President Pro Tempore
35 Designate, the immediate past President Pro Tempore of the Senate, the next-
36 preceding past President Pro Tempore if the immediate past President Pro

1 Tempore is not a member of the Senate, the Speaker Designate of the House of
2 Representatives, the Speaker of the House of Representatives, the immediate
3 past Speaker of the House of Representatives, the next-preceding past Speaker
4 of the House if the immediate past Speaker of the House is not a member of the
5 House of Representatives, the immediate past ~~Chairman~~ Co-Chairpersons of the
6 Legislative Council, the immediate past ~~Chairman~~ Chairperson or Co-
7 Chairpersons of the Legislative Joint Auditing Committee, and the ~~Chairman~~
8 Chairperson and Vice ~~Chairman~~ Chairperson or Co-Chairpersons and Co-Vice
9 Chairpersons of the Legislative Joint Auditing Committee shall be ex officio
10 members of the Legislative Council and shall enjoy the same rights and
11 privileges as other Legislative Council members;

12
13 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
14 Assembly that the Legislative Joint Auditing Committee should now have co-
15 chairpersons and co-vice chairpersons instead of a chairperson and vice-
16 chairperson; that this act so provides; that these officers will be selected
17 by the Legislative Joint Auditing Committee as soon as it organizes after the
18 adjournment of this regular session; and that unless this act goes into effect
19 immediately, the Committee will not be able to select its co-chairpersons
20 until perhaps months after its initial meeting. Therefore, an emergency is
21 declared to exist and this act being immediately necessary for the
22 preservation of the public peace, health and safety shall become effective on
23 the date of its approval by the Governor. If the bill is neither approved nor
24 vetoed by the Governor, it shall become effective on the expiration of the
25 period of time during which the Governor may veto the bill. If the bill is
26 vetoed by the Governor and the veto is overridden, it shall become effective
27 on the date the last house overrides the veto.

28 /s/ Mahony
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