

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.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

HOUSE BILL 2712

5 By: Representative Bolin
6
7

For An Act To Be Entitled

9 AN ACT TO BETTER COORDINATE THE DRAFTING OF
10 LEGISLATION RECOMMENDED BY STATE AGENCIES; TO
11 IDENTIFY LEGISLATION THAT IS RECOMMENDED BY STATE
12 AGENCIES; TO CLARIFY THE ROLE OF LEGISLATIVE
13 STAFF; AND FOR OTHER PURPOSES.
14

Subtitle

15 TO BETTER COORDINATE THE DRAFTING OF
16 LEGISLATION RECOMMENDED BY STATE
17 AGENCIES.
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21 WHEREAS, the General Assembly of the State of Arkansas is a part-time
22 citizen legislature that meets biennially; and
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24 WHEREAS, the agencies traditionally submit a large volume of
25 recommended legislative changes for each regular session which is usually
26 submitted after regular session begins; and
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28 WHEREAS, the agencies' practice of submitting their legislative changes
29 to the Bureau of Legislative Research after regular session begins is an
30 unnecessary burden to the General Assembly and legislative staff; and
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32 WHEREAS, this act will allow the agencies and the Bureau to better
33 coordinate the preparation of agency-recommended legislation during interim
34 to ensure that agency-recommended legislation receives adequate review and
35 preparation and that agency-recommended legislation is ready to be filed when
36 regular session begins;



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2 WHEREAS, the coordination of the preparation of agency-recommended
3 legislation during interim will substantially alleviate the burden of the
4 General Assembly by allowing legislative staff to spend most of their time
5 during interim preparing legislation that is requested by the legislators,
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7 NOW THEREFORE,

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

9
10 SECTION 1. Arkansas Code Title 10, Chapter 2, Subchapter 5 is amended
11 to add an additional section to read as follows:

12 10-2-502. Submission of agency legislative package – Identification of
13 legislation that originates from an agency.

14 (a) For the purposes of this section:

15 (1) “Agency” means any entity created under the laws of the
16 State of Arkansas that receives funding appropriated by the General Assembly;

17 (2)(A) “Interim committee” means a committee created under § 10-
18 3-203 to aid the legislative process in the state.

19 (B) “Interim committee” includes the:

20 (i) Legislative Council;

21 (ii) Legislative Joint Auditing Committee;

22 (iii) Committee on Public Health, Welfare, and
23 Labor.

24 (iv) Committee on Public Transportation;

25 (v) Committee on Revenue and Taxation;

26 (vi) Committee on Education;

27 (vii) Committee on Judiciary;

28 (viii) Committee on Agriculture, Forestry, and
29 Economic Development;

30 (ix) Committee on Insurance and Commerce;

31 (x) Committee on State Agencies and Governmental
32 Affairs;

33 (xi) Committee on City, County, and Local Affairs;

34 and

35 (xii) Committee on Aging and Legislative Affairs;

36 (3)(A) “Legislative package” means drafts in markup format that

1 represent the agency's recommended legislative changes for the next regular
 2 session;

3 (4) "Markup format" means a bill draft that contains language
 4 that is:

5 (A) To be removed from the Arkansas Code with the font
 6 attribute of strikethrough;

7 (B) To be added to the Arkansas Code with the font
 8 attribute of underline; and

9 (C) Not being amended to be reproduced without a font
 10 attribute;

11 (B) "Legislative package" includes any and all legislation
 12 that the agency intends to present for sponsorship by a legislator during the
 13 next regular session of the General Assembly; and

14 (5) "Legislator" means any member of the General Assembly or a
 15 member-elect of the General Assembly.

16 (b)(1) Upon direction of the chair of an interim committee or a
 17 legislator, on June 1 of each year preceding a regular session of the General
 18 Assembly, the staff attorney assigned to each interim committee shall request
 19 the agency's complete legislative package to which the staff attorney is
 20 assigned.

21 (2) If an agency has not submitted its complete legislative
 22 package that was requested under this section to the staff attorney assigned
 23 to the committee by September 15 of each year preceding a regular session of
 24 the General Assembly, then:

25 (A) A legislator may request that the Joint Budget
 26 Committee hold the agency's budget during the presession budget hearings
 27 conducted by the Legislative Council and the Joint Budget Committee; and

28 (B) The cochairs of the Joint Performance Review Committee
 29 may subpoena the director of the agency to a meeting of the Joint Performance
 30 Review Committee on or before October 15 of the year preceding a regular
 31 session of the General Assembly to present the agency's reasons for
 32 noncompliance with this section.

33 (c) A bill that is part of an agency's legislative package that is
 34 filed by a legislator shall contain a notation that includes the name of the
 35 agency from which a bill originates on the first page of the bill directly
 36 under the bill number.

1 (d) Nothing in this section shall affect the confidentiality of a
2 legislator’s request for the preparation of legislation by the Bureau of
3 Legislative Research or the resulting draft of legislation prepared by the
4 Bureau of Legislative Research.

5
6 SECTION 2. Arkansas Code Title 10, Chapter 1 is amended to add an
7 additional subchapter to read as follows:

8 10-1-101. Role of legislative staff.

9 (a) For the purposes of this section, “legislator” means any member of
10 the General Assembly or a member-elect of the General Assembly.

11 (b) The purpose of the entities created under this title and the
12 employees of those entities is to assist and serve legislators, members of
13 interim legislative committees, and other entities in the legislative branch
14 of the government of the State of Arkansas.

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