

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 2719

5 By: Representative Stovall
6
7

For An Act To Be Entitled

9 AN ACT TO ENLARGE THE ARKANSAS PUBLIC SERVICE
10 COMMISSION TO FIVE (5) MEMBERS; AND FOR OTHER
11 PURPOSES.
12

Subtitle

14 TO ENLARGE THE ARKANSAS PUBLIC SERVICE
15 COMMISSION TO FIVE (5) MEMBERS.
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Effective January 1, 2007, Arkansas Code § 23-2-101 is
21 amended to read as follows:

22 23-2-101. Members generally.

23 (a)(1) The Arkansas Public Service Commission shall consist of ~~three~~
24 ~~(3)~~ five (5) members to be known as commissioners, one (1) of whom shall be a
25 lawyer.

26 (2) Each commissioner shall ~~have:~~

27 (A) Have resided in the state for five (5) years; ~~and~~
28 ~~shall be~~

29 (B) Be a qualified elector;

30 (C) Have resided in his or her congressional district for
31 at least one (1) year before his or her appointment unless he or she was
32 appointed to be the at-large member;

33 (D) Not have been an employee, officer, or director of a
34 public utility, a subsidiary of a public utility, or the same entity that
35 owns or controls the public utility within the four-year period before his or
36 her appointment; and



1 (E) Not be a member of the General Assembly or have been a
2 member of the General Assembly within the four-year period before his or her
3 appointment.

4 (b) Each commissioner before entering on his or her duties shall take
5 the oath prescribed by the Constitution, shall swear that he or she is not
6 pecuniarily interested in any public utility or affiliate, or any public
7 carrier or affiliate therewith, as employee, stockholder, or security holder.

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

11 (d) Each commissioner shall receive an annual salary of five thousand
12 dollars (\$5,000), payable semimonthly or monthly in conformity with
13 prevailing practices of other officers of the state.

14 ~~(e)(1) At the expiration of each of the commissioner's terms, the~~
15 ~~Governor, subject to the approval of the Senate, shall appoint one (1) member~~
16 ~~who shall hold office for a term of six (6) years. As soon as reasonably~~
17 practicable and subject to the approval of the Senate, the Governor shall
18 make the appointments to the commission in a manner that assures:

19 (A) At least one (1) member shall be a resident of each
20 congressional district, as those districts existed on January 1, 2005; and

21 (B) The remaining member shall be a member at-large.

22 (2)(A) Each commissioner shall hold office during the term for
23 which he or she was appointed and until his or her successor is appointed and
24 qualified.

25 (B) Except for the initial four-year term of one (1) of
26 the new commissioners created under subdivision (a)(1) of this section and
27 designated by the Governor, each commissioner's term of office shall be six
28 (6) years.

29 (3) If a vacancy occurs when the General Assembly is not in
30 regular session, the Governor shall appoint a successor who shall hold office
31 until he or she or another appointee for the vacancy has been approved by the
32 Senate.

33 (f) The Governor shall designate one (1) of the commissioners as
34 chair.

35
36 SECTION 2. Effective January 1, 2007, Arkansas Code § 23-2-104 is

1 amended to read as follows:

2 23-2-104. Quorum.

3 The concurrence of ~~two (2)~~ three (3) members of the Arkansas Public
4 Service Commission shall be necessary for commission action.

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
36