

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1566

5 By: Representative Sorvillo
6

For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING THE
9 MEMBERSHIP OF THE LEGISLATIVE COUNCIL; AND FOR OTHER
10 PURPOSES.
11

Subtitle

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14 TO AMEND ARKANSAS LAW CONCERNING THE
15 MEMBERSHIP OF THE LEGISLATIVE COUNCIL.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 10-3-301 is amended to read as follows:

21 10-3-301. Creation – Members.

22 (a) An ad interim committee of the General Assembly is hereby
23 established as the “Legislative Council” to consist of the following:

24 (1) ~~The Senate shall select sixteen (16) members in accordance~~
25 ~~with procedures prescribed by the Rules of the Senate; The thirty-five (35)~~
26 ~~members of the Senate; and~~

27 (2) ~~The House of Representatives shall select twenty (20)~~
28 ~~members in accordance with the procedure prescribed by the Rules of the House~~
29 ~~of Representatives The one hundred (100) members of the House of~~
30 ~~Representatives.~~

31 (3) ~~(A) The President Pro Tempore of the Senate, the President~~
32 ~~Pro Tempore Designate, the immediate past President Pro Tempore of the~~
33 ~~Senate, the Speaker Designate of the House of Representatives, the Speaker of~~
34 ~~the House of Representatives, the immediate past Speaker of the House of~~
35 ~~Representatives, the immediate past cochairs of the Legislative Council, the~~
36 ~~immediate past chair or cochairs of the Legislative Joint Auditing Committee,~~



1 ~~and the chair and vice chair or cochairs and co vice chairs of the~~
2 ~~Legislative Joint Auditing Committee shall be ex officio members of the~~
3 ~~Legislative Council and shall enjoy the same rights and privileges as other~~
4 ~~Legislative Council members.~~

5 ~~(B)(i) If the immediate past Speaker of the House of~~
6 ~~Representatives is not a member of the House, the current Speaker of the~~
7 ~~House of Representatives may appoint a member of the House to serve in the~~
8 ~~stead of the immediate past Speaker of the House of Representatives.~~

9 ~~(ii) If the immediate past President Pro Tempore of~~
10 ~~the Senate is not a member of the Senate, the current President Pro Tempore~~
11 ~~of the Senate may appoint a member of the Senate to serve in the stead of the~~
12 ~~immediate past President Pro Tempore of the Senate.~~

13 ~~(iii) If the immediate past House Cochair of the~~
14 ~~Legislative Council is not a member of the House, the Speaker of the House of~~
15 ~~Representatives may appoint a member of the House to serve in the stead of~~
16 ~~the immediate past House cochair.~~

17 ~~(iv) If the immediate past Senate Cochair of the~~
18 ~~Legislative Council is not a member of the Senate, the President Pro Tempore~~
19 ~~of the Senate may appoint a member of the Senate to serve in the stead of the~~
20 ~~immediate past Senate cochair.~~

21 ~~(v) If the immediate past House Cochair of the~~
22 ~~Legislative Joint Auditing Committee is not a member of the House, the~~
23 ~~Speaker of the House of Representatives may appoint a member of the House to~~
24 ~~serve in the stead of the immediate past House cochair.~~

25 ~~(vi) If the immediate past Senate Cochair of the~~
26 ~~Legislative Joint Auditing Committee is not a member of the Senate, the~~
27 ~~President Pro Tempore of the Senate may appoint a member of the Senate to~~
28 ~~serve in the stead of the immediate past Senate cochair.~~

29 ~~(vii) If the House Cochair of the Legislative Joint~~
30 ~~Auditing Committee has not been elected, the Speaker of the House of~~
31 ~~Representatives may appoint a member of the House to serve until the House~~
32 ~~members of the Legislative Joint Auditing Committee elect a cochair of the~~
33 ~~Legislative Joint Auditing Committee.~~

34 ~~(viii) If the House Co vice Chair of the Legislative~~
35 ~~Joint Auditing Committee has not been elected, the Speaker of the House of~~
36 ~~Representatives may appoint a member of the House to serve until the House~~

1 ~~members of the Legislative Joint Auditing Committee elect a co-vice chair of~~
2 ~~the Legislative Joint Auditing Committee;~~

3 ~~(4)(A) The majority party leader and minority party leader of~~
4 ~~the House or their designees, and the majority party leader and the minority~~
5 ~~party leader in the Senate or their designees shall be members of the~~
6 ~~Legislative Council and shall enjoy the same rights and privileges as other~~
7 ~~Legislative Council members.~~

8 ~~(B)(i) If the majority party leader or the minority party~~
9 ~~leader in the House elects to designate a person to serve, that designation~~
10 ~~shall be subject to confirmation by the Speaker of the House of~~
11 ~~Representatives.~~

12 ~~(ii) If the majority party leader or the minority~~
13 ~~party leader in the Senate elects to designate a person to serve, that~~
14 ~~designation shall be subject to confirmation by the President Pro Tempore of~~
15 ~~the Senate; and~~

16 ~~(5) The majority party whip and minority party whip in the~~
17 ~~Senate or their designees and the majority party whip and the minority party~~
18 ~~whip in the House or their designees shall be members of the Legislative~~
19 ~~Council and shall enjoy the same rights and privileges as other Legislative~~
20 ~~Council members.~~

21 ~~(b)(1) In order that there may be no vacancies on the Legislative~~
22 ~~Council at any time, at the time the members are selected to the Legislative~~
23 ~~Council by the Senate and by the House, there shall also be selected, in the~~
24 ~~same manner, one (1) first alternate member and one (1) second alternate~~
25 ~~member for each regular member.~~

26 ~~(2)(A) First alternate members shall also be nonvoting members~~
27 ~~of the Legislative Council and shall be entitled to per diem and mileage for~~
28 ~~attending all meetings of the Legislative Council.~~

29 ~~(B) First alternate members of the Legislative Council~~
30 ~~shall have a vote in matters before the Legislative Council if the regular~~
31 ~~member which the first alternate represents is not in attendance.~~

32 ~~(C) First alternate members attending as nonvoting members~~
33 ~~of the Legislative Council shall receive per diem and mileage to be paid in~~
34 ~~the same manner and from the same source as regular members of the~~
35 ~~Legislative Council.~~

36 ~~(3) Second alternate members of the Legislative Council shall~~

1 ~~have a vote in matters before the Legislative Council if the regular member~~
2 ~~and the first alternate member which the second alternate represents are not~~
3 ~~in attendance.~~

4 ~~(c) In the event of a tie vote in the congressional caucus to elect~~
5 ~~members and alternates, the member or alternate shall be elected by the~~
6 ~~entire membership of the House or Senate, as the case may be.~~

7 ~~(d)(1) Following the selection by caucus of the regular and alternate~~
8 ~~Senate members of the Legislative Council from the respective congressional~~
9 ~~districts, the President Pro Tempore of the Senate shall appoint from the~~
10 ~~membership of the Senate his or her first and second alternate members.~~

11 ~~(2) The designation of first and second alternate members by the~~
12 ~~President Pro Tempore of the Senate shall be made prior to adjournment of~~
13 ~~each regular session of the General Assembly.~~

14 ~~(3)(A) The selection and designation of first and second~~
15 ~~alternate members from the membership of the House shall be in accordance~~
16 ~~with the procedure prescribed by the Rules of the House of Representatives.~~

17 ~~(B) Notwithstanding any provision of this section to the~~
18 ~~contrary, after January 1, 1999, the selection and designation of first and~~
19 ~~second alternate members from the membership of the Senate shall be in~~
20 ~~accordance with the procedure prescribed by the Rules of the Senate.~~

21 ~~(4) The names of the persons shall be entered upon the journal~~
22 ~~of the respective houses.~~

23 ~~(e)(1) Notwithstanding any provision of this section to the contrary,~~
24 ~~tenure of membership and the means of filling vacant positions for Senate~~
25 ~~Legislative Council members shall be as prescribed by the Rules of the~~
26 ~~Senate.~~

27 ~~(2) Tenure of membership and means of filling vacant positions~~
28 ~~for House Legislative Council members shall be as prescribed by the Rules of~~
29 ~~the House of Representatives.~~

30 ~~(f)(1) The cochairs of the Joint Budget Committee shall be ex officio~~
31 ~~voting members of the Legislative Council.~~

32 ~~(2) The House Chair of the Joint Budget Committee may designate~~
33 ~~the House Vice Chair of the Joint Budget Committee and other House chairs of~~
34 ~~Joint Budget Committee subcommittees as ex officio nonvoting members of the~~
35 ~~Legislative Council, thereby authorizing their attendance at meetings of the~~
36 ~~Legislative Council and its subcommittees.~~

1 ~~(g)~~(b) The House chairs and vice chairs of the Review/PEER
 2 Subcommittee of the Joint Budget Committee, the Personnel Subcommittee of the
 3 Joint Budget Committee, and the Claims Subcommittee of the Joint Budget
 4 Committee shall serve on the corresponding subcommittees of the Legislative
 5 Council as ex officio nonvoting members.

6 ~~(h)~~~~(1)~~(c)(1) With the consent of both the President Pro Tempore of the
 7 Senate and the Speaker of the House of Representatives, the Legislative
 8 Council may meet during a session of the General Assembly to transact
 9 business concerning the personnel and operations of the Bureau of Legislative
 10 Research.

11 (2) This subsection does not limit the authority of the
 12 Legislative Council to meet during a recess as authorized by § 10-3-211 or §
 13 10-2-223.

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 15 SECTION 2. Arkansas Code § 10-3-302(b), concerning action of the
 16 Legislative Council, is amended to read as follows:

17 (b)(1) ~~Upon the request of any three (3) members of the Legislative~~
 18 ~~Council, a~~ A separate vote of House members and Senate members shall be taken
 19 on any issue or matter brought before the Legislative Council and approval of
 20 each house shall be required for the action.

21 (2) The adoption or amendment of the rules of the Legislative
 22 Council shall require approval by a separate vote of Senate Legislative
 23 Council members and House Legislative Council members.

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