

Stricken language would be deleted from and underlined language would be added to the Arkansas Constitution.

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017

HJR 1006

4
5 By: Representative K. Hendren
6

HOUSE JOINT RESOLUTION

8 AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO REPEAL
9 THE FISCAL SESSION OF THE GENERAL ASSEMBLY; AND TO
10 PROVIDE THAT AN APPROPRIATION MADE BY THE GENERAL
11 ASSEMBLY NOT BE FOR A LONGER PERIOD THAN TWO (2)
12 YEARS.
13

Subtitle

14
15
16 A CONSTITUTIONAL AMENDMENT REPEALING THE
17 FISCAL SESSION OF THE GENERAL ASSEMBLY.
18

19
20 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL
21 ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL
22 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:
23

24 That the following is proposed as an amendment to the Constitution of
25 the State of Arkansas, and upon being submitted to the electors of the state
26 for approval or rejection at the next general election for Representatives
27 and Senators, if a majority of the electors voting thereon at the election
28 adopt the amendment, the amendment shall become a part of the Constitution of
29 the State of Arkansas, to wit:
30

31 SECTION 1. Section 5 of Article 5 of the Arkansas Constitution is
32 amended to read as follows:

33 § 5. Regular ~~and fiscal~~ sessions.

34 (a) The General Assembly shall meet at the seat of government every
35 ~~year~~ two (2) years.

36 (b) The General Assembly shall meet in regular session on the second



1 Monday in January of each odd-numbered year to consider any bill or
2 resolution. The General Assembly may alter the time at which the regular
3 session begins.

4 ~~(c)(1) Beginning in 2010, the General Assembly shall meet in fiscal~~
5 ~~session on the second Monday in February of each even numbered year to~~
6 ~~consider only appropriation bills. The General Assembly may alter the time~~
7 ~~at which the fiscal session begins.~~

8 ~~(2) A bill other than an appropriation bill may be considered in~~
9 ~~a fiscal session if two thirds (2/3) of the members of each house of the~~
10 ~~General Assembly approve consideration of the bill.~~

11 ~~(d) The General Assembly, by a vote of two thirds (2/3) of the members~~
12 ~~elected to each house of the General Assembly, may alter the dates of the~~
13 ~~regular session and fiscal session so that regular sessions occur in even~~
14 ~~numbered years and the fiscal sessions occur in odd numbered years.~~

15
16 SECTION 2. Section 17 of Article 5 of the Arkansas Constitution is
17 amended to read as follows:

18 § 17. Duration of sessions.

19 (a) A regular biennial session shall not exceed sixty (60) calendar
20 days in duration, unless extended by a vote of two-thirds (2/3) of the
21 members elected to each house of the General Assembly. ~~The regular biennial~~
22 ~~session shall not exceed seventy five (75) calendar days in duration, unless~~
23 ~~extended by a vote of three fourths (¾) of the members elected to each house~~
24 ~~of the General Assembly.~~

25 ~~(b) A fiscal session shall not exceed thirty (30) calendar days in~~
26 ~~duration, except that by a vote of three fourths (¾) of the members elected~~
27 ~~to each house of the General Assembly a fiscal session may be extended one~~
28 ~~(1) time by no more than fifteen (15) calendar days.~~

29 ~~(c)(b)~~ Provided, that this section shall not apply when impeachments
30 are pending.

31
32 SECTION 3. Section 29 of Article 5 of the Arkansas Constitution is
33 amended to read as follows:

34 § 29. Appropriations.

35 No money shall be drawn from the treasury except in pursuance of
36 specific appropriation made by law, the purpose of which shall be distinctly

1 stated in the bill, and the maximum amount which may be drawn shall be
2 specified in dollars and cents; and no appropriations made by the General
3 Assembly after December 31, ~~2008~~ 2018, shall be for a longer period than ~~one~~
4 ~~(1) fiscal year~~ two (2) years.

5
6 SECTION 4. Section 34 of Article 5 of the Arkansas Constitution is
7 amended to read as follows:

8 § 34. Introduction of bills – Time limit.

9 No new bill shall be introduced into either house during the last three
10 days of a regular ~~or fiscal~~ session.

11
12 SECTION 5. Section 39 of Article 5 of the Arkansas Constitution is
13 amended to read as follows:

14 [§ 39.] State expenses – Limitation – Exceptions.

15 § 3. Excepting monies raised or collected for educational purposes,
16 highway purposes, to pay Confederate pensions and the just debts of the
17 State, the General Assembly is hereby prohibited from appropriating or
18 expending more than the sum of Two and One-Half Million Dollars for all
19 purposes, for any ~~fiscal year~~ biennial period; provided the limit herein
20 fixed may be exceeded by the votes of three-fourths of the members elected to
21 each House of the General Assembly.

22
23 SECTION 6. Section 40 of Article 5 of the Arkansas Constitution is
24 amended to read as follows:

25 [§ 40.] General appropriation bill – Enactment.

26 § 4. In making appropriations for any ~~fiscal year~~ biennial period, the
27 General Assembly shall first pass the General Appropriation Bill provided for
28 in Section 30 of Article 5 of the Constitution, and no other appropriation
29 bill may be enacted before that shall have been done.

30
31 SECTION 7. Section 42(b) of Article 5 of the Arkansas Constitution,
32 concerning the review and approval of administrative rules by a legislative
33 committee, is amended to read as follows:

34 (b) The review and approval by a legislative committee under
35 subsection (a) of this section may occur during the interim or during a
36 regular, or special, ~~or fiscal~~ session of the General Assembly.

1
2
3 SECTION 8. Section 7 of Amendment 35 to the Arkansas Constitution,
4 concerning the Arkansas State Game and Fish Commission, is amended to read as
5 follows:

6 § 7. Executive secretary and other personnel – Selection – Salaries
7 and expenditures.

8 The Commission shall elect an Executive Secretary, whose salary shall
9 not exceed that of limitations placed on other constitutional departments;
10 and other executive officers, supervisor, personnel, office assistants,
11 wardens, game refuge keepers, and hatchery employees, whose salaries and
12 expenditures must be submitted to the Legislature and approved by an Act
13 covering specific items in the biennial appropriation as covered by Article
14 XVI Section 4 of the Constitution.

15
16 SECTION 9. Nothing in this amendment shall be construed to alter the
17 Governor's authority to call a special session of the General Assembly.

18
19 SECTION 10. EFFECTIVE DATE. This amendment is effective on January 1,
20 2019.

21
22 SECTION 11. BALLOT TITLE AND POPULAR NAME. When this proposed
23 amendment is submitted to the electors of this state on the general election
24 ballot:

25 (1) The title of this Joint Resolution shall be the ballot
26 title; and

27 (2) The popular name shall be "An Amendment to the Arkansas
28 Constitution Repealing the Fiscal Session of the General Assembly and
29 Providing that an Appropriation by the General Assembly not be for a Longer
30 Period than Two (2) Years".