

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

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

HJR 1007

4
5 By: Representative Sumpter

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8 **HOUSE JOINT RESOLUTION**

9 PROPOSING AN AMENDMENT TO THE ARKANSAS
10 CONSTITUTION TO PROVIDE FOR ANNUAL SESSIONS OF
11 THE GENERAL ASSEMBLY; TO REQUIRE A MAJORITY VOTE
12 FOR APPROVAL OF APPROPRIATION BILLS; TO PERMIT
13 THE GENERAL APPROPRIATION BILL AND ALL OTHER
14 APPROPRIATION BILLS TO BE EFFECTIVE FOR ONE OR
15 TWO FISCAL YEARS; AND FOR OTHER PURPOSES.

16
17 **Subtitle**

18 PROPOSING AN AMENDMENT TO THE ARKANSAS
19 CONSTITUTION TO PROVIDE FOR ANNUAL
20 LEGISLATIVE SESSIONS; TO REQUIRE A
21 MAJORITY VOTE FOR APPROPRIATION BILL
22 APPROVAL; AND TO PERMIT EITHER ONE OR
23 TWO YEAR APPROPRIATION BILLS.

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26 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-FIFTH GENERAL
27 ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL
28 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

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30 THAT the following is proposed as an amendment to the Constitution of
31 the State of Arkansas, and upon being submitted to the electors of the state
32 for approval or rejection at the next general election for Representatives
33 and Senators, if a majority of the electors voting thereon at the election,
34 adopt the amendment, the amendment shall become a part of the Constitution of
35 the State of Arkansas, to wit:



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

3 § 5. Time of meeting.

4 The General Assembly shall meet in regular session at the seat of
5 government ~~every two years, on the first Tuesday after the second Monday in~~
6 ~~November, until said time be altered~~ each year at such time as provided by
7 law.

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9 SECTION 2. Section 17 of Article 5 of the Constitution of the State of
10 Arkansas is amended to read as follows:

11 § 17. Duration of sessions.

12 The regular ~~biennial~~ sessions, shall not exceed sixty days in duration,
13 unless by a vote of two-thirds of the members elected to each house of said
14 General Assembly. Provided, that this section shall not apply ~~to the first~~
15 ~~session of the General Assembly under this Constitution, or~~ when impeachments
16 are pending.

17
18 SECTION 3. Section 29 of Article 5 of the Constitution of the State of
19 Arkansas is amended to read as follows:

20 § 29. Appropriations.

21 (a)(1) No money shall be drawn from the treasury except in pursuance
22 of specific appropriation made by law, the purpose of which shall be
23 distinctly stated in the bill, and the maximum amount which may be drawn
24 shall be specified in dollars and cents; and no appropriations shall be for a
25 longer period than two years.

26 (2) An appropriation bill enacted in a regular session of the
27 General Assembly in an even-numbered year shall not extend beyond the
28 biennial period in which the bill is enacted.

29 (b) As used in this constitution, "biennial period" means July 1 of an
30 odd-numbered year through June 30 of the next odd numbered year.

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32 SECTION 4. Section 31 of Article 5 of the Constitution of the State of
33 Arkansas is repealed.

34 ~~§ 31. Purposes of taxes and appropriations.~~

35 ~~No State tax shall be allowed, or appropriation of money made, except~~
36 ~~to raise means for the payment of the just debts of the State, for defraying~~

1 ~~the necessary expenses of government, to sustain common schools, to repel~~
 2 ~~invasion and suppress insurrection, except by a majority of two thirds of~~
 3 ~~both houses of the General Assembly.~~

4
 5 SECTION 5. Section 39 of Article 5 of the Constitution of the State of
 6 Arkansas is repealed.

7 ~~[\$ 39.] State expenses — Limitation — Exceptions.~~

8 ~~§ 3. Excepting monies raised or collected for educational purposes,~~
 9 ~~highway purposes, to pay Confederate pensions and the just debts of the~~
 10 ~~State, the General Assembly is hereby prohibited from appropriating or~~
 11 ~~expending more than the sum of Two and One Half Million Dollars for all~~
 12 ~~purposes, for any biennial period; provided the limit herein fixed may be~~
 13 ~~exceeded by the votes of three fourths of the members elected to each House~~
 14 ~~of the General Assembly. [As added to Art. 5 by Const. Amend. 19.]~~

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 16 SECTION 6. Section 40 of Article 5 of the Constitution of the State of
 17 Arkansas is amended to read as follows:

18 ~~[\$ 40.] General appropriation bill - Enactment.~~

19 ~~§ 4. (a) In making appropriations for any biennial period, the General~~
 20 ~~Assembly shall first pass the General Appropriation Bill provided for in~~
 21 ~~Section 30 of Article 5 of the Constitution, and no other appropriation bill~~
 22 ~~may be enacted before that shall have been done. [As added to Art. 5 by~~
 23 ~~Const. Amend. 19.]~~

24 (b)(1) If the General Appropriation Bill enacted during a regular
 25 session held in an odd-numbered year is effective for both fiscal years of
 26 the biennial period, then in the regular session held in an even-numbered
 27 year, the General Assembly is not required to enact a General Appropriation
 28 Bill before other appropriation bills may be enacted for the second year of
 29 the biennial period.

30 (2) If the General Appropriation Bill enacted during a regular
 31 session held in an odd-numbered year is effective only for the first fiscal
 32 year of the biennial period, then during a regular session held in the
 33 subsequent even-numbered year, the General Appropriation Bill for the second
 34 year of the biennial period shall be enacted before any other appropriation
 35 bill may be enacted.

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1 SECTION 7. Section 7 of Amendment 35 to the Constitution of the State
2 of Arkansas is amended to read as follows:

3 § 7. Executive secretary and other personnel - Selection - Salaries and
4 expenditures.

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

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13 SECTION 8. This amendment becomes effective on January 1, 2007.
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