

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

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

HJR 1004

4
5 By: Representative Nickels

HOUSE JOINT RESOLUTION

8 PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION
9 TO REPEAL ANNUAL SESSIONS OF THE GENERAL ASSEMBLY AND
10 PROVIDE THAT THE GENERAL ASSEMBLY SHALL MEET IN
11 REGULAR SESSION ONE TIME EVERY TWO YEARS; TO REPEAL
12 CONSTITUTIONAL PROVISIONS REGARDING FISCAL SESSIONS
13 OF THE GENERAL ASSEMBLY; TO PROVIDE THAT
14 APPROPRIATION BILLS ARE VALID FOR TWO YEARS; AND TO
15 MAKE CONFORMING AMENDMENTS TO REFLECT THE CHANGES
16 PROPOSED IN THIS AMENDMENT.

Subtitle

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20 A CONSTITUTIONAL AMENDMENT TO REPEAL
21 ANNUAL SESSIONS OF THE GENERAL ASSEMBLY
22 AND PROVIDE THAT THE GENERAL ASSEMBLY
23 SHALL MEET IN REGULAR SESSION ONE TIME
24 EVERY TWO YEARS.

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

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



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

4 § 5. ~~Regular and fiscal sessions~~ Time of meeting.

5 ~~(a) The General Assembly shall meet at the seat of government every~~
6 ~~year.~~

7 ~~(b) The General Assembly shall meet in regular session on the second~~
8 ~~Monday in January of each odd-numbered year to consider any bill or~~
9 ~~resolution. The General Assembly may alter the time at which the regular~~
10 ~~session begins.~~

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

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

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

22
23 SECTION 2. Section 17 of Article 5 of the Arkansas Constitution is
24 amended to read as follows:

25 § 17. Duration of sessions.

26 ~~(a) A regular biennial session shall not exceed sixty (60) calendar~~
27 ~~days in duration, unless extended by a vote of two thirds (2/3) of the~~
28 ~~members elected to each house of the General Assembly. The regular biennial~~
29 ~~session shall not exceed seventy five (75) calendar days in duration, unless~~
30 ~~extended by a vote of three fourths (3/4) of the members elected to each~~
31 ~~house of the General Assembly.~~

32 ~~(b) A fiscal session shall not exceed thirty (30) calendar days in~~
33 ~~duration, except that by a vote of three fourths (3/4) of the members elected~~
34 ~~to each house of the General Assembly a fiscal session may be extended one~~
35 ~~(1) time by no more than fifteen (15) calendar days. The regular biennial~~
36 ~~sessions shall not exceed sixty (60) days in duration unless by a vote of~~

1 two-thirds (2/3) of the members elected to each House of the General
2 Assembly.

3 ~~(e)~~ (b) Provided, that this section shall not apply when impeachments
4 are pending.

5
6 SECTION 3. Section 29 of Article 5 of the Constitution of Arkansas is
7 amended to read as follows:

8 § 29. Appropriations.

9 No money shall be drawn from the treasury except in pursuance of
10 specific appropriation made by law, the purpose of which shall be distinctly
11 stated in the bill, and the maximum amount which may be drawn shall be
12 specified in dollars and cents; and no appropriations ~~made by the General~~
13 ~~Assembly after December 31, 2008,~~ shall be for a ~~longer period~~ period longer
14 ~~than one (1) fiscal year~~ two (2) years.

15
16 SECTION 4. Section 34 of Article 5 of the Arkansas Constitution is
17 amended to read as follows:

18 § 34. Introduction of bills - Time limit.

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

21
22 SECTION 5. Section 39 of Article 5 of the Arkansas Constitution is
23 amended to read as follows:

24 § 39. State expenses - Limitation - Exceptions.

25 § 3. Excepting monies raised or collected for educational purposes,
26 highway purposes, to pay Confederate pensions and the just debts of the
27 State, the General Assembly is hereby prohibited from appropriating or
28 expending more than the sum of ~~Two and One Half Million Dollars~~ two million
29 five hundred thousand dollars (\$2,500,000) for all purposes, for any ~~fiscal~~
30 ~~year~~ biennial period; provided the limit herein fixed may be exceeded by the
31 votes of three-fourths of the members elected to each House of the General
32 Assembly.

33
34 SECTION 6. Section 40 of Article 5 of the Arkansas Constitution is
35 amended to read as follows:

36 § 40. General appropriation bill - Enactment.

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

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

9 7. Executive Secretary and other personnel - Selection - Salaries and
10 expenditures.

11 The Commission shall elect an Executive Secretary, whose salary shall
12 not exceed that of limitations placed on other constitutional departments;
13 and other executive officers, supervisor, personnel, office assistants,
14 wardens, game refuge keepers, and hatchery employees, whose salaries and
15 expenditures must be submitted to the Legislature and approved by an Act
16 covering specific items in the biennial appropriation as covered by Article
17 ~~XVI 16~~ Section 4 of the Constitution.

18
19 SECTION 8. This amendment does not alter the Governor's authority to
20 call a special session of the General Assembly.

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22 SECTION 9. EFFECTIVE DATE. This amendment is effective on January 1,
23 2013.