

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

1 State of Arkansas *As Engrossed: H2/21/17 H3/13/17*

2 91st General Assembly

3 Regular Session, 2017

HJR 1003

4

5 By: Representatives Gillam, Ballinger, Leding, A. Mayberry

6

7

**HOUSE JOINT RESOLUTION**

8

*AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING*

9

*PROPOSED MEASURES AND CONSTITUTIONAL AMENDMENTS*

10

*CONSIDERED BY VOTERS AT AN ELECTION; PROVIDING THAT*

11

*INITIATIVE PETITIONS FOR STATE-WIDE MEASURES SHALL BE*

12

*FILED WITH THE SECRETARY OF STATE NOT LESS THAN ONE*

13

*HUNDRED EIGHTY (180) DAYS BEFORE THE ELECTION AT*

14

*WHICH THEY ARE TO BE VOTED UPON; PROVIDING THAT A*

15

*PETITION CONCERNING A PROPOSED AMENDMENT TO THE*

16

*ARKANSAS CONSTITUTION SHALL BEAR THE SIGNATURES OF*

17

*NOT LESS THAN ONE-HALF (1/2) OF THE DESIGNATED*

18

*PERCENTAGE OF THE ELECTORS FROM AT LEAST TWENTY-FIVE*

19

*(25) OF THE COUNTIES OF THE STATE; PROVIDING THAT*

20

*GENERAL LAWS SHALL BE ENACTED PROVIDING FOR THE*

21

*EXERCISE OF THE INITIATIVE AND REFERENDUM AS TO*

22

*MUNICIPALITIES; PROVIDING THAT THE GENERAL ASSEMBLY*

23

*SHALL NOT FIX THE TIME FOR FILING AN INITIATIVE*

24

*PETITION IN MUNICIPALITIES AND COUNTIES AT LESS THAN*

25

*SIXTY (60) DAYS NOR MORE THAN NINETY (90) DAYS BEFORE*

26

*THE ELECTION AT WHICH THE INITIATIVE IS TO BE VOTED*

27

*UPON; PROVIDING THAT THE GENERAL ASSEMBLY MAY FIX THE*

28

*TIME FOR FILING A REFERENDUM PETITION AT NOT LESS*

29

*THAN THIRTY (30) DAYS NOR MORE THAN NINETY (90) DAYS*

30

*AFTER THE PASSAGE OF THE MEASURE AT ISSUE BY A QUORUM*

31

*COURT OR MUNICIPAL COUNCIL; PROVIDING THAT THE*

32

*GENERAL ASSEMBLY SHALL NOT FIX THE TIME FOR FILING A*

33

*REFERENDUM PETITION AT LESS THAN NINETY (90) DAYS*

34

*WHEN FILED AGAINST A LOCAL OR SPECIAL MEASURE PASSED*

35

*BY THE GENERAL ASSEMBLY; PROVIDING THAT A CHALLENGE*

36

*TO THE SUFFICIENCY OF THE TITLE SUBMITTED WITH A*



1            *PETITION TO BE USED ON THE BALLOT SHALL BE MADE NOT*  
2            *LATER THAN SIXTY (60) DAYS AFTER THE FILING OF THE*  
3            *PETITION; PROVIDING THAT AN AMENDMENT TO THE ARKANSAS*  
4            *CONSTITUTION SUBMITTED TO THE PEOPLE THROUGH THE*  
5            *INITIATIVE PROCESS SHALL TAKE EFFECT AND BECOME PART*  
6            *OF THE ARKANSAS CONSTITUTION WHEN APPROVED BY THREE-*  
7            *FIFTHS (3/5) OF THE VOTES CAST UPON THE AMENDMENT AND*  
8            *SHALL NOT BE REQUIRED TO RECEIVE A MAJORITY OF THE*  
9            *ELECTORS VOTING AT SUCH ELECTION; PROVIDING THAT, BY*  
10           *A MAJORITY VOTE AT A REGULAR SESSION, THE GENERAL*  
11           *ASSEMBLY MAY SUBMIT A PROPOSED LAW TO THE PEOPLE FOR*  
12           *APPROVAL OR REJECTION BY A MAJORITY OF THE VOTES CAST*  
13           *AT AN ELECTION; PROVIDING THAT THE GENERAL ASSEMBLY*  
14           *SHALL NOT SUBMIT MORE THAN THREE (3) PROPOSED LAWS TO*  
15           *THE PEOPLE FOR APPROVAL OR REJECTION AT A REGULAR*  
16           *SESSION AND SHALL NOT SUBMIT AN APPROPRIATION BILL TO*  
17           *THE PEOPLE FOR APPROVAL OR REJECTION AT AN ELECTION;*  
18           *PROVIDING THAT THE PROVISIONS CONCERNING THE*  
19           *SUBMISSION OF PROPOSED LAWS TO THE PEOPLE BY THE*  
20           *GENERAL ASSEMBLY ARE INAPPLICABLE TO THE SUBMISSION*  
21           *OF A QUESTION CONCERNING THE ISSUANCE OF BONDS TO THE*  
22           *ELECTORS THAT IS OTHERWISE AUTHORIZED BY THE ARKANSAS*  
23           *CONSTITUTION OR BY LAW; PROVIDING THAT THE GENERAL*  
24           *ASSEMBLY MAY ENACT LAWS CONCERNING THE PROCESS FOR*  
25           *SUBMITTING A PROPOSED LAW TO THE PEOPLE FOR APPROVAL*  
26           *OR REJECTION AT AN ELECTION; PROVIDING THAT IF*  
27           *CONFLICTING MEASURES INITIATED OR REFERRED TO THE*  
28           *PEOPLE ARE APPROVED BY THE REQUIRED NUMBER OF VOTES,*  
29           *THE MEASURE RECEIVING THE HIGHEST NUMBER OF*  
30           *AFFIRMATIVE VOTES SHALL BECOME LAW; PROVIDING THAT A*  
31           *CHALLENGE TO THE SUFFICIENCY OF THE SIGNATURES*  
32           *SUBMITTED IN SUPPORT OF A PETITION SHALL BE MADE NOT*  
33           *LATER THAN THIRTY (30) DAYS AFTER CERTIFICATION OF*  
34           *THE SUFFICIENCY OF THE SIGNATURES BY THE SECRETARY OF*  
35           *STATE, COUNTY CLERK, OR CITY CLERK, AS THE CASE MAY*  
36           *BE; PROVIDING THAT CORRECTION OR AMENDMENT OF AN*

1            *INSUFFICIENT STATE-WIDE PETITION CONCERNING A*  
2            *PROPOSED AMENDMENT TO THE ARKANSAS CONSTITUTION SHALL*  
3            *BE PERMITTED ONLY IF THE PETITION CONTAINS VALID*  
4            *SIGNATURES OF LEGAL VOTERS EQUAL TO AT LEAST SEVENTY-*  
5            *FIVE PERCENT (75%) OF THE REQUIRED NUMBER OF*  
6            *SIGNATURES OF LEGAL VOTERS FROM EACH OF AT LEAST*  
7            *TWENTY-FIVE (25) COUNTIES OF THE STATE; REVISING THE*  
8            *PROCESS FOR THE GENERAL ASSEMBLY TO PROPOSE*  
9            *AMENDMENTS TO THE ARKANSAS CONSTITUTION AT A REGULAR*  
10           *SESSION OF THE GENERAL ASSEMBLY; PROVIDING THAT A*  
11           *PROPOSED AMENDMENT TO THE ARKANSAS CONSTITUTION SHALL*  
12           *NOT BE SUBMITTED BY THE GENERAL ASSEMBLY TO THE*  
13           *ELECTORS OF THE STATE FOR APPROVAL OR REJECTION*  
14           *UNLESS THE PROPOSED AMENDMENT RECEIVES A TWO-THIRDS*  
15           *VOTE OF EACH HOUSE OF THE GENERAL ASSEMBLY; PROVIDING*  
16           *THAT THE GENERAL ASSEMBLY SHALL NOT SUBMIT MORE THAN*  
17           *THREE (3) PROPOSED CONSTITUTIONAL AMENDMENTS AT A*  
18           *GENERAL ELECTION UNLESS A FOURTH AMENDMENT CONCERNING*  
19           *SALARIES OF CERTAIN CONSTITUTIONAL OFFICERS IS*  
20           *SUBMITTED UNDER ARKANSAS CONSTITUTION, AMENDMENT 70,*  
21           *§ 2; PROVIDING THAT THE GENERAL ASSEMBLY SHALL*  
22           *DESIGNATE IN THE JOINT RESOLUTION PROPOSING AN*  
23           *AMENDMENT TO THE ARKANSAS CONSTITUTION THE BALLOT*  
24           *TITLE AND POPULAR NAME THAT SHALL APPEAR ON THE*  
25           *GENERAL ELECTION BALLOT; PROVIDING THAT THE BALLOT*  
26           *TITLE FOR AN AMENDMENT TO THE ARKANSAS CONSTITUTION*  
27           *PROPOSED BY THE GENERAL ASSEMBLY SHALL BE*  
28           *INTELLIGIBLE, HONEST, AND IMPARTIAL; PROVIDING THAT*  
29           *THE POPULAR NAME FOR AN AMENDMENT TO THE ARKANSAS*  
30           *CONSTITUTION PROPOSED BY THE GENERAL ASSEMBLY SHALL*  
31           *IDENTIFY THE PROPOSED AMENDMENT IN A MANNER THAT*  
32           *ENABLES THE ELECTORS TO VOTE ON EACH AMENDMENT*  
33           *SEPARATELY; PROVIDING THAT WITHIN THIRTY (30) DAYS OF*  
34           *THE ADOPTION BY THE GENERAL ASSEMBLY OF A JOINT*  
35           *RESOLUTION PROPOSING AN AMENDMENT TO THE ARKANSAS*  
36           *CONSTITUTION, THE ATTORNEY GENERAL SHALL REVIEW THE*

1           *BALLOT TITLE AND POPULAR NAME AND CERTIFY THE BALLOT*  
2           *TITLE AND POPULAR NAME FOR INCLUSION ON THE BALLOT AT*  
3           *THE NEXT GENERAL ELECTION IF HE OR SHE DETERMINES THE*  
4           *BALLOT TITLE AND POPULAR NAME SATISFY THE REQUIRED*  
5           *STANDARDS; PROVIDING THAT THE ATTORNEY GENERAL SHALL*  
6           *REFER THE BALLOT TITLE OR POPULAR NAME, OR BOTH, TO*  
7           *THE GENERAL ASSEMBLY FOR SUBSTITUTION OF THE BALLOT*  
8           *TITLE OR POPULAR NAME, OR BOTH, IF THE ATTORNEY*  
9           *GENERAL DETERMINES AFTER REVIEW THAT THE BALLOT TITLE*  
10          *OR POPULAR NAME, OR BOTH, DO NOT SATISFY THE REQUIRED*  
11          *STANDARDS; PROVIDING THAT THE GENERAL ASSEMBLY SHALL*  
12          *DESIGNATE BY LAW A COMMITTEE TO SUBSTITUTE BALLOT*  
13          *TITLES AND POPULAR NAMES; PROVIDING THAT THE ATTORNEY*  
14          *GENERAL SHALL REVIEW A SUBSTITUTED BALLOT TITLE OR*  
15          *POPULAR NAME, OR BOTH, FOR CERTIFICATION AND SHALL*  
16          *CONTINUE TO REFER THE SUBSTITUTED BALLOT TITLE OR*  
17          *POPULAR NAME, OR BOTH, TO THE GENERAL ASSEMBLY UNTIL*  
18          *HE OR SHE MAY CERTIFY THE BALLOT TITLE AND POPULAR*  
19          *NAME AS SATISFYING THE REQUIRED STANDARDS; PROVIDING*  
20          *THAT AN AMENDMENT TO THE ARKANSAS CONSTITUTION*  
21          *PROPOSED BY THE GENERAL ASSEMBLY AND ITS BALLOT TITLE*  
22          *AND POPULAR NAME SHALL BE PUBLISHED AS PROVIDED BY*  
23          *LAW; PROVIDING THAT AN AMENDMENT TO THE ARKANSAS*  
24          *CONSTITUTION PROPOSED BY THE GENERAL ASSEMBLY SHALL*  
25          *BECOME PART OF THE ARKANSAS CONSTITUTION WHEN*  
26          *APPROVED BY THREE-FIFTHS (3/5) OF THE ELECTORS VOTING*  
27          *ON THE PROPOSED AMENDMENT AT THE GENERAL ELECTION;*  
28          *AND PROVIDING THAT AN AMENDMENT TO THE ARKANSAS*  
29          *CONSTITUTION SHALL NOT SPECIFICALLY BESTOW POWERS,*  
30          *PRIVILEGES, OR AUTHORITY TO A SPECIFIC INDIVIDUAL*  
31          *IDENTIFIED BY NAME OR A PRIVATE BUSINESS ENTITY*  
32          *IDENTIFIED BY NAME.*

### **Subtitle**

*AN AMENDMENT TO THE ARKANSAS CONSTITUTION*

1                    *CONCERNING PROPOSED MEASURES AND*  
2                    *CONSTITUTIONAL AMENDMENTS CONSIDERED BY*  
3                    *VOTERS AT AN ELECTION.*

4  
5  
6 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL  
7 ASSEMBLY OF THE STATE OF ARKANSAS AND BY SENATE, A MAJORITY OF ALL MEMBERS  
8 ELECTED TO EACH HOUSE AGREEING THERETO:

9  
10            That the following is proposed as an amendment to the Constitution of  
11 the State of Arkansas, and upon being submitted to the electors of the state  
12 for approval or rejection at the next general election for Representatives  
13 and Senators, if a majority of the electors voting thereon at the election  
14 adopt the amendment, the amendment shall become a part of the Constitution of  
15 the State of Arkansas, to wit:

16  
17            *SECTION 1. The subdivision of Arkansas Constitution, Article 5, § 1,*  
18 *titled "Initiative" is amended to read as follows:*

19            *Initiative. The first power reserved by the people is the initiative.*  
20 *Eight ~~per cent~~ percent (8%) of the legal voters may propose any law and ten*  
21 *~~per cent~~ percent (10%) may propose a constitutional amendment by initiative*  
22 *petition and every such petition shall include the full text of the measure*  
23 *so proposed. Initiative petitions for state-wide measures shall be filed*  
24 *with the Secretary of State not less than ~~four months~~ one hundred eighty*  
25 *(180) days before the election at which they are to be voted upon; provided,*  
26 *that at least thirty (30) days before the aforementioned filing, the proposed*  
27 *measure shall have been published once, at the expense of the petitioners, in*  
28 *some paper of general circulation.*

29  
30            *SECTION 2. The subdivision of Arkansas Constitution, Article 5, § 1,*  
31 *titled "Referendum" is amended to read as follows:*

32            *Referendum. (a) The second power reserved by the people is the*  
33 *referendum, and any number not less than six ~~per cent~~ percent (6%) of the*  
34 *legal voters may, by petition, order the referendum against any general Act,*  
35 *or any item of an appropriation bill, or measure passed by the General*  
36 *Assembly, but the filing of a referendum petition against one or more items,*

1 sections or parts of any such act or measure shall not delay the remainder  
2 from becoming operative. Such petition shall be filed with the Secretary of  
3 State not later than ninety (90) days after the final adjournment of the  
4 session at which such Act was passed, except when a recess or adjournment  
5 shall be taken temporarily for a longer period than ninety (90) days, in  
6 which case such petition shall be filed not later than ninety (90) days after  
7 such recess or temporary adjournment. Any measure referred to the people by  
8 referendum petition shall remain in abeyance until such vote is taken. The  
9 total number of votes cast for the office of Governor in the last preceding  
10 general election shall be the basis upon which the number of signatures of  
11 legal voters upon state-wide initiative and referendum petitions shall be  
12 computed.

13 (b)(1) Upon Except as provided in subdivision (b)(2) of this section,  
14 upon all initiative or referendum petitions provided for in any of the  
15 sections of this article, it shall be necessary to file from at least fifteen  
16 (15) of the counties of the State, petitions bearing the signature of not  
17 less than one-half (1/2) of the designated percentage of the electors of such  
18 county.

19 (2) For a petition concerning a proposed amendment to the  
20 Arkansas Constitution, it shall be necessary to file from at least twenty-  
21 five (25) of the counties of the State, petitions bearing the signature of  
22 not less than one-half (1/2) of the designated percentage of the electors of  
23 such county.

24  
25 SECTION 3. The subdivision of Arkansas Constitution, Article 5, § 1,  
26 titled "Local for Municipalities and Counties" is amended to read as follows:

27 Local for Municipalities and Counties. The initiative and referendum  
28 powers of the people are hereby further reserved to the legal voters of each  
29 municipality and county as to all local, special and municipal legislation of  
30 every character in and for their respective municipalities and counties, but  
31 no local legislation shall be enacted contrary to the Constitution or any  
32 general law of the State, and any general law shall have the effect of  
33 repealing any local legislation which is in conflict therewith.

34 ~~Municipalities may provide for the exercise of the initiative and~~  
35 ~~referendum as to their local legislation.~~ General laws shall be enacted  
36 providing for the exercise of the initiative and referendum as to counties

1 and municipalities. Fifteen per cent percent (15%) of the legal voters of  
 2 any municipality or county may order the referendum, or invoke the initiative  
 3 upon any local measure. In municipalities the number of signatures required  
 4 upon any petition shall be computed upon the total vote cast for the office  
 5 of mayor at the last preceding general election; in counties upon the office  
 6 of circuit clerk. In municipalities and counties the time for filing an  
 7 initiative petition shall not be fixed by the General Assembly at less than  
 8 sixty (60) days nor more than ninety (90) days before the election at which  
 9 it is to be voted upon; ~~for~~ the time for filing a referendum petition shall  
 10 not be fixed by the General Assembly at ~~not~~ less than thirty (30) days nor  
 11 more than ninety (90) days after the passage of such measure by a quorum  
 12 court or municipal council, nor, or less than ninety (90) days when filed  
 13 against a local or special measure passed by the General Assembly.

14 Every extension, enlargement, grant, or conveyance of a franchise or  
 15 any rights, property, easement, lease, or occupation of or in any road,  
 16 street, alley or any part thereof in real property or interest in real  
 17 property owned by municipalities, exceeding in value three hundred dollars  
 18 (\$300), whether the same be by statute, ordinance, resolution, or otherwise,  
 19 shall be subject to referendum and shall not be subject to emergency  
 20 legislation.

21  
 22 SECTION 4. The subdivision of Arkansas Constitution, Article 5, § 1,  
 23 titled "Title" is amended to read as follows:

24 Title. At the time of filing petitions the exact title to be used on  
 25 the ballot shall by the petitioners be submitted with the petition, and on  
 26 state-wide measures, shall be submitted to the State Board of Election  
 27 Commissioners, who shall certify such title to the Secretary of State, to be  
 28 placed upon the ballot; on county and municipal measures such title shall be  
 29 submitted to the county election board and shall by said board be placed upon  
 30 the ballot in such county or municipal election. A challenge to the  
 31 sufficiency of the title to be used on the ballot shall be made not later  
 32 than sixty (60) days after the filing of the petition under this section.

33  
 34 SECTION 5. The subdivision of Arkansas Constitution, Article 5, § 1,  
 35 titled "Majority", is amended to read as follows:

36 Majority. (a)(1)(A) Any Except as provided in subdivision (a)(1)(B)

1 of this section, any measure submitted to the people as herein provided shall  
2 take effect and become a law when approved by a majority of the votes cast  
3 upon such measure, and not otherwise, and shall not be required to receive a  
4 majority of the electors voting at such election.

5 (B) An amendment to the Arkansas Constitution submitted to  
6 the people as herein provided shall take effect and become part of the  
7 Arkansas Constitution when approved by three-fifths (3/5) of the votes cast  
8 upon the amendment, and not otherwise, and shall not be required to receive a  
9 majority of the electors voting at such election.

10 (2) Such measures shall be operative on and after the thirtieth  
11 day after the election at which it is approved, unless otherwise specified in  
12 the Act.

13 (b)(1) This section shall not be construed to deprive any member of  
14 the General Assembly of the right to introduce any measure, but no measure  
15 shall be submitted to the people by the General Assembly, except a proposed  
16 constitutional amendment or amendments as provided for in this Constitution.

17 (2) At a regular session, the General Assembly may:

18 (A) Submit a proposed constitutional amendment to the  
19 people for approval or rejection as provided for in this Constitution; and

20 (B)(i) Except as otherwise provided by this Constitution,  
21 submit a proposed law other than a proposed constitutional amendment to the  
22 people for approval or rejection at an election as provided by law.

23 (ii) A proposed law shall not be submitted to the  
24 people for approval or rejection at an election under subdivision  
25 (b)(2)(B)(i) of this section unless it receives a majority vote of each house  
26 of the General Assembly.

27 (iii) A proposed law submitted to the people under  
28 subdivision (b)(2)(B)(i) of this section or other provisions of this  
29 Constitution, including without limitation Article 5, § 38, of this  
30 Constitution, shall:

31 (a) Take effect and become a law when approved  
32 by a majority of the votes cast upon the proposed law; and

33 (b) Be operative on and after the thirtieth  
34 day after the election at which it is approved, unless otherwise specified in  
35 the proposed law.

36 (iv) The General Assembly shall not submit more than



1 three (3) proposed laws to the people for approval or rejection at a regular  
2 session.

3 (v) The General Assembly shall not submit an  
4 appropriation bill to the people for approval or rejection at an election  
5 under this subdivision (b)(2)(B).

6 (vi) This subdivision (b)(2)(B) does not apply to  
7 the submission of a question concerning the issuance of bonds to the electors  
8 that is otherwise authorized by this Constitution or by law.

9 (vii) The General Assembly may enact laws concerning  
10 the process for submitting a proposed law to the people for approval or  
11 rejection at an election under this subdivision (b)(2)(B).

12  
13 SECTION 6. The subdivision of Arkansas Constitution, Article 5, § 1,  
14 titled "Conflicting Measures" is amended to read as follows:

15 Conflicting Measures. If conflicting measures initiated or referred to  
16 the people shall be approved by ~~a majority of~~ the required number of the  
17 votes severally cast for and against the same at the same election, the one  
18 (1) receiving the highest number of affirmative votes shall become law.

19  
20 SECTION 7. The subdivision of Arkansas Constitution, Article 5, § 1,  
21 titled "Verification" is amended to read as follows:

22 Verification. Only legal votes shall be counted upon petitions.  
23 Petitions may be circulated and presented in parts, but each part of any  
24 petition shall have attached thereto the affidavit of the person circulating  
25 the same, that all signatures thereon were made in the presence of the  
26 affiant, and that to the best of the affiant's knowledge and belief each  
27 signature is genuine, and that the person signing is a legal voter and no  
28 other affidavit or verification shall be required to establish the  
29 genuineness of such signatures. A challenge to the sufficiency of the  
30 signatures submitted in support of a petition shall be made not later than  
31 thirty (30) days after certification of the sufficiency of the signatures by  
32 the Secretary of State, county clerk, or city clerk, as the case may be.

33  
34 SECTION 8. The section of Arkansas Constitution, Article 5, § 1,  
35 titled "Amendment of Petition" is amended to read as follows:

36 (a)(1) If the Secretary of State, county clerk or city clerk, as the

1 case may be, shall decide any petition to be insufficient, he or she shall  
 2 without delay notify the sponsors of such petition, and permit at least  
 3 thirty (30) days from the date of such notification, in the instance of a  
 4 state-wide petition, or ten (10) days in the instance of a municipal or  
 5 county petition, for correction or amendment.

6 (2) For a state-wide petition, correction or amendment of an  
 7 insufficient petition shall be permitted only if the petition contains valid  
 8 signatures of legal voters equal to:

9 (A) At least seventy-five percent (75%) of the number of  
 10 state-wide signatures of legal voters required; and

11 (B)(i) ~~At~~ Except as provided in subdivision (a)(2)(B)(ii)  
 12 of this section, at least seventy-five percent (75%) of the required number  
 13 of signatures of legal voters from each of at least fifteen (15) counties of  
 14 the state.

15 (ii) For a state-wide petition concerning a proposed  
 16 amendment to the Arkansas Constitution, at least seventy-five percent (75%)  
 17 of the required number of signatures of legal voters from each of at least  
 18 twenty-five (25) counties of the state.

19 (b) In the event of legal proceedings to prevent giving legal effect  
 20 to any petition upon any grounds, the burden of proof shall be upon the  
 21 person or persons attacking the validity of the petition.

22  
 23 SECTION 9. Arkansas Constitution, Article 19, § 22, is amended to read  
 24 as follows:

25 § 22. Constitutional amendments.

26 ~~Either branch of the General Assembly, at a regular session thereof,~~  
 27 ~~may propose amendments to this Constitution; and if the same be agreed to by~~  
 28 ~~a majority of all members elected to each house, such proposed amendments~~  
 29 ~~shall be entered on the journals with the yeas and nays, and published in at~~  
 30 ~~least one newspaper in each county, where a newspaper is published, for six~~  
 31 ~~months immediately preceding the next general election for Senators and~~  
 32 ~~Representatives, at which time the same shall be submitted to the electors of~~  
 33 ~~the State, for approval or rejection; and if a majority of the electors~~  
 34 ~~voting at such election adopt such amendments, the same shall become a part~~  
 35 ~~of this Constitution. But no more than three amendments shall be proposed or~~  
 36 ~~submitted at the same time. They shall be so submitted as to enable the~~

1 ~~electors to vote on each amendment separately.~~

2 (a)(1) Either house of the General Assembly may propose amendments to  
3 this Constitution at a regular session in the form of a joint resolution.

4 (2) A joint resolution proposing an amendment to this  
5 Constitution shall be read in full on three (3) days in each house of the  
6 General Assembly unless the rules are suspended by a two-thirds vote of each  
7 house, in which case the joint resolution may be read a second or third time  
8 on the same day.

9 (3) On the final passage of the proposed amendment through each  
10 house, the vote shall be taken by yeas and nays and the names of the persons  
11 voting for and against the joint resolution shall be entered on the journal.

12 (4) A proposed amendment shall not be submitted to the electors  
13 of the state for approval or rejection unless it receives a two-thirds vote  
14 of each house of the General Assembly.

15 (5)(A) Except as provided in Amendment 70, § 2, of this  
16 Constitution, the General Assembly shall not submit more than three (3)  
17 proposed amendments at a general election.

18 (B) Proposed amendments under this section shall be  
19 submitted as to enable the electors to vote on each amendment separately.

20 (b) A joint resolution proposing an amendment to this Constitution  
21 that receives an affirmative vote of each house of the General Assembly shall  
22 be submitted to the electors of the state for approval or rejection at the  
23 next general election.

24 (c)(1) The General Assembly shall designate in the joint resolution  
25 proposing an amendment to this Constitution the ballot title and popular name  
26 that shall appear on the general election ballot.

27 (2)(A) The ballot title designated in the joint resolution shall  
28 be a summary of the proposed amendment that is:

29 (i) Intelligible;

30 (ii) Honest; and

31 (iii) Impartial.

32 (B) The popular name designated in the joint resolution  
33 shall identify the proposed amendment in a manner that enables the electors  
34 to vote on each amendment separately.

35 (3)(A) Within thirty (30) days of the adoption of a joint  
36 resolution proposing an amendment to this Constitution by the General

1 Assembly, the Attorney General shall:

2 (i) Review the ballot title and popular name  
3 designated in the joint resolution; and

4 (ii) Certify the ballot title and popular name for  
5 inclusion on the ballot at the next general election if the Attorney General  
6 determines that the ballot title and popular name satisfy subdivision (c)(2)  
7 of this section.

8 (B) If the Attorney General believes after his or her  
9 review that the ballot title or popular name, or both, do not satisfy  
10 subdivision (c)(2) of this section, the Attorney General shall refer the  
11 ballot title or popular name, or both, to the General Assembly for  
12 substitution of a ballot title or popular name, or both, that satisfies  
13 subdivision (c)(2) of this section.

14 (C)(i) If the Attorney General refers a ballot title or  
15 popular name, or both, to the General Assembly under subdivision (c)(3)(B) of  
16 this section, a committee designated by the General Assembly shall substitute  
17 a ballot title or popular name, or both, that satisfies subdivision (c)(2) of  
18 this section.

19 (ii) The General Assembly shall enact laws  
20 designating a committee to substitute a ballot title or popular name, or  
21 both, under subdivision (c)(3)(C)(i) of this section. The committee  
22 designated by law may be a combination of a committee of the House of  
23 Representatives and a committee of the Senate meeting jointly for the purpose  
24 of providing a substitute ballot title or popular name, or both.

25 (iii) The committee designated by law under  
26 subdivision (c)(3)(C)(ii) of this section may substitute a ballot title or  
27 popular name, or both, when meeting during a regular, fiscal, or special  
28 session of the General Assembly or when meeting during the interim.

29 (iv) The Attorney General shall review a substitute  
30 ballot title or popular name, or both, under subdivision (c)(3)(A) of this  
31 section. The Attorney General shall refer the ballot title and popular name,  
32 or both, to the General Assembly for substitution as many times as necessary  
33 until the Attorney General determines that the ballot title and popular name  
34 satisfies subdivision (c)(2) of this section and certifies the ballot title  
35 and popular name for inclusion on the ballot at the next general election.

36 (d) If an amendment to this Constitution proposed by the General

1 Assembly meets the requirements of this section, the proposed amendment and  
2 its ballot title and popular name shall be published as provided by law.

3 (e) If three-fifths (3/5) of the electors voting on the proposed  
4 amendment at the general election approve the proposed amendment, the  
5 proposed amendment shall become part of this Constitution.

6  
7 SECTION 10. Arkansas Constitution, Amendment 70, § 2, is amended to  
8 read as follows:

9 § 2. Additional Constitutional amendments authorized.

10 (a) In addition to the three (3) amendments to ~~the~~ this Constitution  
11 allowed pursuant to Article 19, § 22, either branch of the General Assembly  
12 at a regular session thereof may propose an amendment to ~~the~~ this  
13 Constitution to change the salaries for the offices of Governor, Lieutenant  
14 Governor, Attorney General, Secretary of State, Treasurer of State,  
15 Commissioner of State Lands, and Auditor of State and for members of the  
16 General Assembly. ~~If the same be agreed to by a majority of all members~~  
17 ~~elected to each house, such proposed amendment shall be entered on the~~  
18 ~~journals with the yeas and nays, and published in at least one newspaper in~~  
19 ~~each county, where a newspaper is published, for six months immediately~~  
20 ~~preceding the next general election for Senators and Representatives, at~~  
21 ~~which time the same shall be submitted to the electors of the State for~~  
22 ~~approval or rejection. If a majority of the electors voting at such election~~  
23 ~~adopt the amendment the same shall become a part of this Constitution.~~

24 (b) Only one (1) amendment to ~~the~~ this Constitution may be referred  
25 pursuant to this section.

26 (c) An amendment proposed under the authority of this section shall  
27 comply with the requirements of Article 19, § 22, of this Constitution.

28  
29 SECTION 11. The Arkansas Constitution is amended to add a new  
30 amendment to read as follows:

31 (a) An amendment to this Constitution shall not specifically bestow  
32 powers, privileges, or authority to:

33 (1) A specific individual identified by his or her name; or

34 (2) A private business entity identified by name, including  
35 without limitation a private corporation identified by name.

36 (b) Subsection (a) of this amendment shall supersede a subsequent

1 amendment to this Constitution that specifically bestows powers, privileges,  
2 or authority to:

3 (1) A specific individual identified by his or her name; or

4 (2) A private business entity identified by name, including  
5 without limitation a private corporation identified by name.

6  
7 SECTION 12. BALLOT TITLE AND POPULAR NAME. When this proposed  
8 amendment is submitted to the electors of this state on the general election  
9 ballot:

10 (1) The title of this joint resolution shall be the ballot  
11 title; and

12 (2) The popular name shall be "A Constitutional Amendment to  
13 Create Efficiency and Stability in the Submission and Consideration of  
14 Measures and Constitutional Amendments Proposed to Voters at an Election".

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17 /s/Gillam  
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