

ARKANSAS SENATE
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of Senate Joint Resolution No. 10

"PROPOSING AN AMENDMENT TO AMENDMENT NO. 42 TO THE CONSTITUTION OF
THE STATE OF ARKANSAS TO PROVIDE FOR ELECTION OF MEMBERS OF THE
ARKANSAS STATE HIGHWAY COMMISSION BY POPULAR VOTE."

Amendment No. 1 to Senate Joint Resolution No. 10.

Amend Senate Joint Resolution No. 10 as originally introduced:

Delete the title and substitute the following:

"PROPOSING AN AMENDMENT TO AMENDMENT NO. 42 TO THE
CONSTITUTION OF THE STATE OF ARKANSAS TO PROVIDE FOR
THE NONPARTISAN ELECTION OF MEMBERS OF THE ARKANSAS
STATE HIGHWAY COMMISSION BY POPULAR VOTE; TO REQUIRE
THE BOARD OF APPORTIONMENT TO ESTABLISH EIGHT (8)
HIGHWAY COMMISSION ZONES FROM WHICH COMMISSIONERS
SHALL BE ELECTED BY PLURALITY VOTE; TO PROVIDE FOR
THE APPOINTMENT OF THE DIRECTOR OF THE ARKANSAS STATE
HIGHWAY AND TRANSPORTATION DEPARTMENT BY THE
GOVERNOR; TO PROVIDE FOR TRANSITION TO THE NEW FORM
OF THE ARKANSAS STATE HIGHWAY COMMISSION; AND FOR
OTHER PURPOSES. "

AND

Delete Section 1 and substitute the following:

"SECTION 1. Section 2 of Amendment 42 to the Constitution of the State of Arkansas is amended to read in its entirety as follows:

§ 2. Qualifications and appointment of members - Terms of office of first commission.

~~Within ten days after the convening of the General Assembly of the State of Arkansas in the year 1953, the Governor, by and with the advice and consent of the Senate, shall appoint five persons who are qualified electors of the State to constitute the State Highway Commission for terms of two, four, six, eight and ten years respectively. The terms of the persons so appointed shall be determined by lot. The Commissioners to be appointed from the State at large; provided, however, that no two Commissioners shall be appointed from any single Congressional District.~~

~~In the event of rejection by the Senate of a person whose name has been so submitted, the Governor shall within five days after receipt of written notice from the Secretary of the Senate of such rejection submit the name of another appointee to fill such vacancy. In the event the Governor should within five days thereafter fail to appoint or fail to submit to the Senate for confirmation the name of any person to be appointed, the Senate shall proceed to make the appointment of its own choice.~~

(a) The State Highway Commission shall be comprised of eight (8) members who shall be elected by popular vote.

(b) The Board of Apportionment shall divide the state into eight (8) Highway Commission Zones which shall be substantially equal in geographical area and which shall follow county lines. The zones shall be established no later than the adjournment of the 2003 Regular Session of the General Assembly and the Board may thereafter change the zones only if authorized by an enactment of the General Assembly.

(c) One (1) member of the State Highway Commission shall be elected from each of the Highway Commission Zones. No two (2) members of the State Highway Commission shall be a resident of the same zone. Only qualified electors who are residents of the zone shall be eligible to be elected to the State Highway Commission and to serve as commissioners for that zone.

(d) The members of the State Highway Commission shall be elected by plurality vote and on a nonpartisan basis at the general election next following the adoption of this amendment. The General Assembly shall enact laws establishing procedures for the nonpartisan elections.

(e) The initial elected members shall draw lots for terms so that four (4) will serve a four-year term and four (4) will serve a two-year term. Successors shall serve four-year terms.

(f) The elected members of the State Highway Commission shall take office on the first Monday of January in the year immediately following the date of their election. No person shall serve as a member of the State Highway Commission for more than two (2) four-year terms. Commissioners initially elected to serve a two-year term or appointed to fill a vacancy are eligible to serve two (2) four-year terms.

(g) Vacancies in office shall be filled by appointment by the Governor."

The Amendment was read the first time, rules suspended and read the second time and _____

**By: Senator Gwatney
LH/RRS - 031320010814
RRS661**

Secretary