

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senator Keet

S.J.R. 4

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7 **SENATE JOINT RESOLUTION**

8 FOR A PROPOSED CONSTITUTIONAL AMENDMENT TO THE
9 CONSTITUTION OF THE STATE OF ARKANSAS TO AMEND THE
10 ARKANSAS TERM LIMITATION AMENDMENT TO CLARIFY THE
11 AMENDMENT'S APPLICATION TO PARTIAL TERMS AND TWO-YEAR
12 SENATE TERMS AND TO CHANGE ITS TERM LIMITATIONS ON STATE
13 LEGISLATIVE OFFICIALS TO TWELVE (12) YEARS INSTEAD OF SIX
14 (6) AND EIGHT (8) YEARS.

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16 **Subtitle**

17 TO AMEND THE ARKANSAS TERM LIMITATION AMENDMENT
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19 BE IT RESOLVED BY THE SENATE OF THE EIGHTIETH GENERAL ASSEMBLY OF THE STATE
20 OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS
21 ELECTED TO EACH HOUSE AGREEING THERETO:
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23 That the following is hereby proposed as an amendment to the
24 Constitution of the state of Arkansas, and upon being submitted to the
25 electors of the state for approval or rejection at the next general election
26 for Senators and Representatives, if a majority of the electors voting
27 thereon at such election, adopt such amendment, the same shall become a part
28 of the Constitution of the state of Arkansas, to wit:
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30 "SECTION 1. Purpose. The people of Arkansas having approved the
31 Arkansas Term Limitation Amendment to limit the number of terms for the
32 state's Executive Department, members of the Arkansas General Assembly, and
33 the Congressional delegation find that limitations on the terms of these
34 public officials of the State is a sound public policy, but that the original
35 Amendment contained some vague language causing litigation to occur and some

1 significant problems with the implementation of the Amendment. This
2 Amendment is intended to amend the original Amendment to strengthen its
3 policy objectives and to clarify it to reduce the questions about its
4 implementation and possible litigation which might result. This Amendment
5 should continue to reduce the effects of an entrenched incumbency in
6 political office and lead to greater citizen participation in the electoral
7 system by involving more people in elective office.

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9 SECTION 2. Subsection (b) of Section 1 of the Arkansas Term Limitation
10 Amendment is hereby amended to read as follows:

11 (b) No elected official of the executive department of this State may
12 serve in the same office more than a maximum of two (2) such four-year terms,
13 except in the case of serving a partial term. The term "partial term" as
14 used in this Section means the remaining part of a four-year term of office
15 filled, by election or appointment, as the case may be, after a vacancy has
16 occurred during the term of office of a member of the executive department
17 and shall, for the purposes of counting terms of office under this Section,
18 not be considered a full-term of office except when the partial term equals
19 more than one-half of the full term of office, plus one (1) month.

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21 SECTION 3. Section 2 of the Arkansas Term Limitation Amendment is
22 hereby amended to read as follows:

23 SECTION 2. Legislative Branch.

24 (a) The Arkansas House of Representatives shall consist of members to
25 be chosen every second year by the qualified electors of the several
26 counties. No member of the Arkansas House of Representatives shall be
27 elected to serve more than a maximum of six (6) such two-year terms, or
28 partial terms. The total maximum amount of time in office in the House shall
29 be twelve (12) years. The term "partial term" as used in this subsection
30 means the remaining part of a two-year term of office filled after a vacancy
31 has occurred during the term of office of a member of the Arkansas House of
32 Representatives. For the purpose of counting terms of office under this
33 subsection, a partial term shall be considered a full two-year term.

34 (b) The Arkansas Senate shall consist of members to be chosen every
35 four years by the qualified electors of the several districts or, as result

1 of decennial reapportionment, its members may serve a two (2) year term. No
2 member of the Arkansas Senate shall be elected to serve more than a maximum
3 of three (3) such four-year terms, or partial terms. The total maximum
4 amount of time in office in the Senate shall be twelve (12) years, except in
5 the case of senators who, as result of decennial reapportionment, serve a
6 two-year term. In the case of senators who serve a two-year term, the total
7 maximum amount of time in office in the Senate shall be four (4) terms in the
8 Senate in combination of two-year and four-year terms, a maximum of fourteen
9 (14) years. The term "partial term" as used in this subsection means the
10 remaining part of a two-year or a four-year term of office filled after a
11 vacancy has occurred during the term of office of a member of the Arkansas
12 Senate. For the purpose of counting terms of office under this subsection, a
13 partial term shall be considered a full term of four (4) years when the
14 partial term equals more than one-half of the full four-year term, plus one
15 month. If the partial term is less than one-half of the full term, plus one
16 month, then it is counted as a two-year term.

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18 SECTION 4. Subsection (a) of Section 6 of the Arkansas Term Limitation
19 Amendment is hereby amended to read as follows:

20 (a) This Amendment to the Arkansas Constitution shall take effect and
21 be in operation on January 1, 1993, and its provisions shall be applicable to
22 all persons thereafter seeking election to the offices specified in this
23 Amendment. The number of terms a person may serve in a particular office
24 under this Amendment shall include only those terms beginning on and after
25 the effective date of the Amendment. Terms or partial terms of office begun
26 before that date shall not apply to the total maximum permitted for each
27 office._

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29 SECTION 5. The provisions of this Amendment shall be self-executing.

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31 SECTION 6. The provisions of this Amendment shall take effect and be
32 in operation on January 1, 1997.

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34 SECTION 7. All laws and constitutional provisions which conflict with
35 this Amendment are hereby repealed to the extent that they conflict with this

1 Amendment."

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