

State of Arkansas As Engrossed: S3/14/01 S4/2/01 S4/4/01 S4/6/01 S4/11/01

83rd General Assembly

Regular Session, 2001

SJR 18

By: Senator Webb

SENATE JOINT RESOLUTION

PROPOSING A CONSTITUTIONAL AMENDMENT TO RESTRICT EXECUTIVE OFFICERS AND MEMBERS OF THE GENERAL ASSEMBLY FROM RECEIVING ANYTHING OF VALUE FROM A REGISTERED LOBBYIST OR A REGISTERED LOBBYIST'S PRINCIPAL AND TO ADJUST THE SALARIES FOR EXECUTIVE OFFICERS AND MEMBERS OF THE GENERAL ASSEMBLY.

Subtitle

TO RESTRICT EXECUTIVE OFFICERS AND MEMBERS OF THE GENERAL ASSEMBLY FROM RECEIVING ANYTHING OF VALUE FROM A LOBBYIST OR THE LOBBYIST'S PRINCIPAL AND TO ADJUST THE SALARIES FOR EXECUTIVE OFFICERS AND MEMBERS OF THE GENERAL ASSEMBLY.

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

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

SECTION 1. Section 1 of Amendment 70 to the Constitution of Arkansas

1 is amended to read as follows:

2 §1. Executive Department and General Assembly - Salaries -
3 Restrictions on reimbursements.

4 (a) No official of the Executive Department shall be reimbursed by the
5 State of Arkansas for any expenses except those reasonably connected to their
6 official duties and only if such reimbursement is made for documented
7 expenses actually incurred and from the regular budget appropriated for the
8 official's office. Such restrictions on expense reimbursement are of a
9 general application and also are intended specifically to prohibit the
10 appropriation and use of public relations funds. The annual salaries of the
11 Executive Department, which shall be paid in monthly installments, shall be
12 as follows: the Governor, the sum of ~~\$60,000~~ \$109,000; the Lieutenant
13 Governor, the sum of ~~\$29,000~~ \$49,000; the Secretary of State, the sum of
14 ~~\$37,500~~ \$65,000; the Treasurer of State, the sum of ~~\$37,000~~ \$65,000; the
15 Attorney General, the sum of ~~\$50,000~~ \$89,000; the Commissioner of State
16 Lands, the sum of ~~\$37,500~~ \$65,000; and the Auditor of State, the sum of
17 ~~\$37,500~~ \$65,000. Except as provided herein, such officials of the Executive
18 Department shall not receive any other income from the State of Arkansas,
19 whether in the form of salaries or expenses and shall not receive anything of
20 value from any registered lobbyist or any principal.

21 (b) The members of the General Assembly shall receive as their annual
22 salary the sum of ~~\$12,500~~ \$19,000, except the President Pro Tempore of the
23 Senate and the Speaker of the House of Representatives, who shall each
24 receive the sum of ~~\$14,000~~ \$21,000 annually, with such salaries to be payable
25 in equal monthly installments. Except as provided herein, no member of the
26 General Assembly shall receive any other income for service in the General
27 Assembly, whether in the form of salaries or expenses, including, but not
28 limited to, public relations funds and shall not receive anything of value
29 from any registered lobbyist or any principal. Provided further, that no
30 member of the General Assembly shall be entitled to per diem unless
31 authorized by law, or to reimbursement for expenses or mileage unless
32 authorized by law, documented, and reasonably related to their official
33 duties.

34 (c) For purposes of this section:

35 (1) "Anything of value" does not mean:

36 (A) Educational, information, or promotional materials

1 directly related to the elected official's responsibilities;

2 (B) A personalized plaque or certificate;

3 (C) An honorary degree from a public or private university
4 or college;

5 (D) A campaign contribution properly received and
6 reported;

7 (E) Food or beverages provided in return for participation
8 in a bona fide panel, seminar or speaking engagement at which the audience is
9 a recognized civic, social, or cultural organization or group;

10 (F) Food or beverages provided at a conference scheduled
11 event that is part of the conference program;

12 (G) The furnishing of lodging, transportation,
13 entertainment, food, meals, beverages, any other thing of value which also is
14 furnished on the same terms or at the same expense to members of the general
15 public without regard to status as an elected official; and

16 (H) Income received from a registered lobbyist or
17 principal, excluding income prohibited by law and received for lobbying any
18 member of the Executive Department or General Assembly or for the performance
19 of duties and responsibilities of the official's office or position, which is
20 in the form of a salary or a retainer if the income is disclosed on the
21 statement of financial interest form filed with the Secretary of State; and

22 (2)(A) "Principal" means the person on whose behalf and for
23 whose benefit a registered lobbyist engages in lobbying and who directly
24 employs, appoints, or retains a registered lobbyist to engage in lobbying.

25 (B)(i) "Principal" does not mean a person who merely
26 belongs to an association or organization that employs a registered lobbyist,
27 nor an employee, officer, or shareholder of a person who employs a registered
28 lobbyist, unless the laws of Arkansas provide otherwise.

29 (ii) If a membership association or organization is
30 a principal, the association or organization shall register as a lobbyist and
31 report as required by law.

32 (iii) A person is considered a principal only as to
33 the public office or public body to which he has authorized a registered
34 lobbyist to engage in lobbying.

35 (d) The General Assembly may implement legislation to establish
36 penalties for non-compliance with this section.

/s/ Webb

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