

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

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

As Engrossed: S3/14/07

SJR 6

4
5 By: Senator Faris
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SENATE JOINT RESOLUTION

8
9 AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO
10 PROVIDE THAT FEES, MONEYS, OR FUNDS RELATED TO
11 OIL, GAS, OR OTHER MINERALS IN AND UNDER LANDS
12 OWNED BY THE ARKANSAS STATE GAME AND FISH
13 *COMMISSION AND PURCHASED WITH FEES, MONIES, OR*
14 *FUNDS THAT DID NOT ARISE FROM THE SALE OF HUNTING*
15 *AND FISHING LICENSES AND PERMITS SHALL BE*
16 *REMITTED TO THE TREASURER OF STATE TO BE CREDITED*
17 *TO THE STATE GENERAL REVENUES.*

18
19 **Subtitle**

20 *AN AMENDMENT TO THE ARKANSAS*
21 *CONSTITUTION CONCERNING FEES, MONEYS, OR*
22 *FUNDS RELATED TO OIL, GAS, OR OTHER*
23 *MINERALS IN AND UNDER CERTAIN LANDS*
24 *OWNED BY THE ARKANSAS STATE GAME AND*
25 *FISH COMMISSION.*

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

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



1 the State of Arkansas, to wit:

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3 SECTION 1. Section 8 of Amendment 35 of the Arkansas Constitution is
4 amended to read as follows:

5 § 8. Nepotism prohibited - Powers of arrest - Funds - Use - Purposes -
6 Game Protection Fund - Audit of accounts - Resident hunting and fishing
7 licenses - Powers of commission.

8 (a)(1) No person shall be employed by the Commission who shall be
9 related to any of the Commissioners or any other State officers within the
10 third degree of relationship by blood or marriage.

11 (2) All employed personnel may make arrests for violation of the
12 game and fish laws.

13 (b)(1)(A) ~~The~~ Except as provided in subdivision (b)(2) of this
14 section, fees, monies, or funds arising from all sources by the operation and
15 transaction of the said Commission and from the application and
16 administration of the laws and regulations pertaining to birds, game, fish
17 and wildlife resources of the State and the sale of property used for said
18 purposes shall be expended by the Commission for the control, management,
19 restoration, conservation and regulation of the birds, fish and wildlife
20 resources of the State, including the purchases or other acquisitions of
21 property for said purposes and for the administration of the laws pertaining
22 thereto and for no other purposes.

23 (B) All monies described in subdivision (b)(1)(A) of this
24 section shall be deposited in the Game Protection Fund with the ~~State~~
25 Treasurer of State and such monies as are necessary, including an emergency
26 fund, shall be appropriated by the ~~Legislature~~ General Assembly at each
27 legislative session for the use of the ~~Game and Fish~~ Commission as hereto set
28 forth.

29 (C) No monies described in subdivision (b)(1)(A) of this
30 section other than those credited to the Game Protection Fund can be
31 appropriated.

32 (2) Fees, moneys, or funds related to oil, gas, or other
33 minerals in and under lands owned by the Commission and purchased by the
34 Commission with fees, monies, or funds that did not arise from the sale of
35 hunting and fishing licenses and permits shall be remitted to the Treasurer
36 of State to be credited to the state general revenues and may be appropriated

1 by the General Assembly for any purpose for which state general revenues may
2 be used.

3 (c) All money to the credit of or that should be credited to the
4 present Game Protection Fund shall be credited to the new Game Protection
5 Fund and any appropriation made by the ~~Legislature~~ General Assembly out of
6 the Game Protection Fund shall be construed to be for the use of the new
7 Commission and out of the new Game Protection Fund.

8 (d) The books, accounts and financial affairs of the Commission shall
9 be audited by the ~~State Comptroller~~ Chief Fiscal Officer of the State as that
10 department deems necessary, but at least once a year.

11 (e) Resident hunting and fishing license, each, shall be One and
12 50/100 Dollars annually, and shall not exceed this amount unless a higher
13 license fee is authorized by an Act of ~~Legislature~~ the General Assembly.

14 (f)(1) The Commission shall have the exclusive power and authority to
15 issue licenses and permits, to regulate bag limits and the manner of taking
16 game and fish and furbearing animals, and shall have the authority to divide
17 the State into zones, and regulate seasons and manner of taking game, and
18 fish and furbearing animals therein, and fix penalties for violations.

19 (2) No rule or regulations shall apply to less than a complete
20 zone, except temporarily in case of extreme emergency.

21 (g)(1) Said Commission shall have the power to acquire by purchase,
22 gifts, eminent domain, or otherwise, all property necessary, useful or
23 convenient for the use of the Commission in the exercise of any of its
24 duties, and in the event the right of eminent domain is exercised, it shall
25 be exercised in the same manner as now or hereafter provided for the exercise
26 of eminent domain by the State Highway Commission.

27 (2) All laws now in effect shall continue in force until changed
28 by the Commission.

29 (3) All contracts and agreements now in effect shall remain in
30 force until the date of their expiration.

31 (h) This amendment shall not repeal, alter or modify the provisions of
32 any existing special laws under the terms of which a County Game Commission
33 has been created+.

34 (i) The Commission shall be empowered to spend such monies as are
35 necessary to match Federal grants under the Pittman-Robertson or similar acts
36 for the propagation, conservation and restoration of game and fish.

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(j) This amendment shall become effective July 1, 1945.

SECTION 2. This amendment shall become effective on January 1, 2009.

/s/ Faris