

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

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

As Engrossed: S2/21/11

SJR 2

4
5 By: Senator J. Hutchinson
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7 **SENATE JOINT RESOLUTION**

8 AN AMENDMENT TO THE CONSTITUTION TO PROVIDE THAT THE
9 *STATE HIGHWAY COMMISSION SHALL BE GOVERNED IN THE*
10 *SAME MANNER AS ALL OTHER STATE AGENCIES AND TO*
11 *PROVIDE THAT THE LOTTERY PROCEEDS SHALL BE*
12 *APPROPRIATED IN THE SAME MANNER AS OTHER STATE FUNDS.*
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15 **Subtitle**

16 *TO AMEND THE CONSTITUTION TO GOVERN THE*
17 *STATE HIGHWAY COMMISSION IN THE SAME*
18 *MANNER AS ALL OTHER STATE AGENCIES AND TO*
19 *GOVERN THE APPROPRIATION OF LOTTERY*
20 *FUNDS.*
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23 BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE
24 STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL
25 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:
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27 THAT the following is proposed as an amendment to the Constitution of
28 the State of Arkansas, and upon being submitted to the electors of the state
29 for approval or rejection at the next general election for Representatives
30 and Senators, if a majority of the electors voting thereon at the election
31 adopt the amendment, the amendment shall become a part of the Constitution of
32 the State of Arkansas, to wit:
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34 SECTION 1. Article 19, § 14(c) of the Arkansas Constitution,
35 concerning the lottery, is amended to read as follows:

36 (c) Lottery proceeds shall ~~not~~ be subject to appropriation by



1 the General Assembly and are ~~specifically declared to be cash funds held in~~
2 ~~trust separate and apart from the State treasury~~ to be managed and maintained
3 by the General Assembly or an agency or department of the State as determined
4 by the General Assembly.

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6 SECTION 2. Sections 1 and 2 of Amendment 42 of the Arkansas
7 Constitution are amended to read as follows:

8 § 1. Commission created – Members – Powers.

9 There is hereby created a State Highway Commission which shall be
10 vested with all the powers and duties ~~now or hereafter imposed by law for the~~
11 ~~administration of the State Highway Department, together with all powers~~
12 ~~necessary or proper to enable the Commission or any of its officers or~~
13 ~~employees to carry out fully and effectively the regulations and laws~~
14 ~~relating to the State Highway Department~~ as may be prescribed by law.

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16 § 2. Qualifications and appointment of members – Terms of office of
17 first commission.

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

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

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35 SECTION 3. Section 6 of Amendment 42 of the Arkansas Constitution are
36 amended to read as follows:

1 § 6. Director of Highways.

2 The Commission shall appoint a Director of Highways who shall have such
3 duties as may be prescribed by ~~the Commission or by statute~~ law.

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5 SECTION 4. This amendment shall become effective July 1, 2013.

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7 /s/J. Hutchinson

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