

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

HJR 1002

By: Representative D. Douglas

HOUSE JOINT RESOLUTION

AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO ABOLISH THE FISCAL SESSION OF THE GENERAL ASSEMBLY; TO PROVIDE THAT THE GENERAL ASSEMBLY MEET EVERY TWO (2) YEARS UNLESS CONVENED BY THE GOVERNOR FOR AN EXTRAORDINARY SESSION; AND TO PROVIDE THAT AN APPROPRIATION MADE BY THE GENERAL ASSEMBLY NOT BE FOR A LONGER PERIOD THAN TWO (2) YEARS.

Subtitle

AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO ABOLISH THE FISCAL SESSION OF THE GENERAL ASSEMBLY; AND TO PROVIDE THAT THE GENERAL ASSEMBLY MEET EVERY TWO (2) YEARS.

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

That the following is 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 Representatives and Senators, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Arkansas Constitution, Article 5, § 5, is amended to read



as follows:

§ 5. Regular ~~and fiscal~~ sessions.

(a) The General Assembly shall meet at the seat of government every ~~year~~ two (2) years.

(b) The General Assembly shall meet in regular session on the second Monday in January of each odd-numbered year to consider any bill or resolution. The General Assembly may alter the time at which the regular session begins.

~~(c)(1) Beginning in 2010, the General Assembly shall meet in fiscal session on the second Monday in February of each even-numbered year to consider only appropriation bills. The General Assembly may alter the time at which the fiscal session begins.~~

~~(2) A bill other than an appropriation bill may be considered in a fiscal session if two-thirds (2/3) of the members of each house of the General Assembly approve consideration of the bill.~~

~~(d) The General Assembly, by a vote of two-thirds (2/3) of the members elected to each house of the General Assembly, may alter the dates of the regular session and fiscal session so that regular sessions occur in even numbered years and the fiscal sessions occur in odd-numbered years.~~

SECTION 2. Arkansas Constitution, Article 5, § 17, is amended to read as follows:

§ 17. Duration of sessions.

(a) A regular biennial session shall not exceed sixty (60) calendar days in duration, unless extended by a vote of two-thirds (2/3) of the members elected to each house of the General Assembly. ~~The regular biennial session shall not exceed seventy five (75) calendar days in duration, unless extended by a vote of three-fourths (¾) of the members elected to each house of the General Assembly.~~

~~(b) A fiscal session shall not exceed thirty (30) calendar days in duration, except that by a vote of three-fourths (¾) of the members elected to each house of the General Assembly a fiscal session may be extended one (1) time by no more than fifteen (15) calendar days.~~

~~(c)~~(b) Provided, that this section shall not apply when impeachments are pending.

SECTION 3. Arkansas Constitution, Article 5, § 29, is amended to read as follows:

§ 29. Appropriations.

No money shall be drawn from the treasury except in pursuance of specific appropriation made by law, the purpose of which shall be distinctly stated in the bill, and the maximum amount which may be drawn shall be specified in dollars and cents; and no appropriations made by the General Assembly after December 31, ~~2008~~ 2020, shall be for a longer period than ~~one~~ (1) fiscal year two (2) years.

SECTION 4. Arkansas Constitution, Article 5, § 34, is amended to read as follows:

§ 34. Introduction of bills – Time limit.

No new bill shall be introduced into either house during the last three days of a regular ~~or fiscal~~ session.

SECTION 5. Arkansas Constitution, Article 5, § 39, is amended to read as follows:

[\$ 39.] State expenses – Limitation – Exceptions.

§ 3. Excepting monies raised or collected for educational purposes, highway purposes, to pay Confederate pensions and the just debts of the State, the General Assembly is hereby prohibited from appropriating or expending more than the sum of Two and One-Half Million Dollars for all purposes, for any ~~fiscal year~~ biennial period; provided the limit herein fixed may be exceeded by the votes of three-fourths of the members elected to each House of the General Assembly.

SECTION 6. Arkansas Constitution, Article 5, § 40, is amended to read as follows:

[\$ 40.] General appropriation bill – Enactment.

§ 4. In making appropriations for any ~~fiscal year~~ biennial period, the General Assembly shall first pass the General Appropriation Bill provided for in Section 30 of Article 5 of the Constitution, and no other appropriation bill may be enacted before that shall have been done.

SECTION 7. Arkansas Constitution, Article 5, § 42(b), concerning the

review and approval of administrative rules by a legislative committee, is amended to read as follows:

(b) The review and approval by a legislative committee under subsection (a) of this section may occur during the interim or during a regular, or special, ~~or fiscal~~ session of the General Assembly.

SECTION 8. Arkansas Constitution, Amendment 35, § 7, concerning the Arkansas State Game and Fish Commission, is amended to read as follows:

§ 7. Executive secretary and other personnel – Selection – Salaries and expenditures.

The Commission shall elect an Executive Secretary, whose salary shall not exceed that of limitations placed on other constitutional departments; and other executive officers, supervisor, personnel, office assistants, wardens, game refuge keepers, and hatchery employees, whose salaries and expenditures must be submitted to the Legislature and approved by an Act covering specific items in the biennial appropriation as covered by Article XVI Section 4 of the Constitution.

SECTION 9. Nothing in this amendment shall be construed to alter the Governor's authority to call a special session of the General Assembly.

SECTION 10. EFFECTIVE DATE. This amendment is effective on and after January 1, 2021.

SECTION 11. BALLOT TITLE AND POPULAR NAME. When this proposed amendment is submitted to the electors of this state on the general election ballot:

(1) The title of this Joint Resolution shall be the ballot title; and

(2) The popular name shall be "An Amendment to the Arkansas Constitution to Abolish the Fiscal Session of the General Assembly and to Provide that the General Assembly Meet Every Two (2) Years Unless Convened by the Governor for an Extraordinary Session".