

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

HJR 1009

By: Representative Dotson

HOUSE JOINT RESOLUTION

AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING THE STATE HIGHWAY COMMISSION; CHANGING THE NAME OF THE STATE HIGHWAY COMMISSION TO THE STATE TRANSPORTATION COMMISSION; PROVIDING FOR INCREASED LEGISLATIVE OVERSIGHT OF THE STATE TRANSPORTATION COMMISSION BY PROVIDING THAT THE POWERS AND DUTIES OF THE STATE TRANSPORTATION COMMISSION MAY BE PRESCRIBED BY LAW; REVISING THE MEMBERSHIP AND THE POWERS AND DUTIES OF THE STATE TRANSPORTATION COMMISSION; AND PROVIDING THAT THE STATE TRANSPORTATION COMMISSION SHALL APPOINT A SECRETARY OF TRANSPORTATION WHO SHALL HAVE DUTIES AS PRESCRIBED BY LAW.

Subtitle

AN AMENDMENT TO THE ARKANSAS CONSTITUTION
CONCERNING THE STATE HIGHWAY COMMISSION.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD 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, Amendment 42, §§ 1 and 2, are amended to read as follows:

§ 1. Commission created – Members – Powers.

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

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

Within ten (10) days after the convening of the General Assembly of the State of Arkansas in the year 1953, the Governor, by and with the advice and consent of the Senate, shall appoint five (5) persons who are qualified electors of the State to constitute the State ~~Highway~~ Transportation Commission for terms of two (2), four (4), six (6), eight (8) and ten (10) years respectively. The terms of the persons so appointed shall be determined by lot. The Commissioners to be appointed from the State at large; provided, however, that ~~no two Commissioners shall be appointed from any single Congressional District~~ at least one (1) Commissioner shall be appointed from each Congressional District.

In the event of rejection by the Senate of a person whose name has been so submitted, the Governor shall within five (5) days after receipt of written notice from the Secretary of the Senate of such rejection submit the name of another appointee to fill such vacancy. In the event the Governor should within five (5) days thereafter fail to appoint or fail to submit to the Senate for confirmation the name of any person to be appointed, the Senate shall proceed to make the appointment of its own choice.

SECTION 2. Arkansas Constitution, Amendment 42, § 6, is amended to read as follows:

§ 6. ~~Director of Highways~~ Secretary of Transportation.

The Commission shall appoint a ~~Director of Highways~~ Secretary of Transportation who shall have such duties as may be prescribed by ~~the~~

~~Commission or by statute~~ law.

SECTION 3. EFFECTIVE DATE. This amendment shall be effective on and after July 1, 2023.

SECTION 4. 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 "A Constitutional Amendment Concerning the State Highway Commission and Amending the Name, Membership, Powers, and Duties of the State Highway Commission".