

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

1 State of Arkansas *As Engrossed: S3/27/23*

2 94th General Assembly

3 Regular Session, 2023

SJR 15

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5 By: Senator B. King

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SENATE JOINT RESOLUTION

8

AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING

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THE MEMBERSHIP OF THE STATE HIGHWAY COMMISSION; AND

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PROVIDING FOR THE APPOINTMENT OF MEMBERS OF THE STATE

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HIGHWAY COMMISSION FROM CERTAIN COUNTIES OF THE

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STATE.

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Subtitle

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A CONSTITUTIONAL AMENDMENT CONCERNING THE

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MEMBERSHIP OF THE STATE HIGHWAY

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COMMISSION.

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BE IT RESOLVED BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE

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STATE OF ARKANSAS, AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL

23

MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

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THAT the following is proposed as an amendment to the Constitution of

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the State of Arkansas, and upon being submitted to the electors of the state

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for approval or rejection at the next general election for Representatives

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and Senators, if a majority of the electors voting thereon at the election

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adopt the amendment, the amendment shall become a part of the Constitution of

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the State of Arkansas, to wit:

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SECTION 1. Arkansas Constitution, Amendment 42, § 2, is amended to

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read as follows:

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

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~~first commission.~~

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(a) Within ten days after the convening of the General Assembly of the



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

8 (b) The Commissioners shall be appointed as follows:

9 (1) One (1) Commissioner from Benton, Washington, Crawford, or
 10 Sebastian counties;

11 (2) One (1) Commissioner from Miller, Lafayette, Columbia,
 12 Union, Calhoun, Ouachita, Nevada, Hempstead, Little River, Sevier, Howard,
 13 Pike, Clark, Dallas, Grant, Hot Spring, Garland, Montgomery, Polk, Scott,
 14 Logan, Yell, or Perry counties;

15 (3) One (1) Commissioner from Faulkner, Pulaski, or Saline
 16 counties;

17 (4) One (1) Commissioner from Mississippi, Poinsett, Cross,
 18 Crittenden, St. Francis, Lee, Phillips, Desha, Chicot, Ashley, Bradley, Drew,
 19 Lincoln, Cleveland, Jefferson, Arkansas, Monroe, Prairie, Lonoke, White,
 20 Woodruff, or Jackson counties; and

21 (5) One (1) Commissioner from Carroll, Boone, Marion, Baxter,
 22 Fulton, IZard, Sharp, Lawrence, Randolph, Clay, Greene, Craighead, Madison,
 23 Newton, Searcy, Stone, Independence, Franklin, Johnson, Pope, Conway, Van
 24 Buren, or Cleburne counties.

25 (c)(1) In the event of rejection by the Senate of a person whose name
 26 has been so submitted, the Governor shall within five (5) days after receipt
 27 of written notice from the Secretary of the Senate of such rejection submit
 28 the name of another appointee to fill such vacancy.

29 (2) In the event the Governor should within five (5) days
 30 thereafter fail to appoint or fail to submit to the Senate for confirmation
 31 the name of any person to be appointed, the Senate shall proceed to make the
 32 appointment of its own choice.

33 (d) The initial Commissioners appointed under this section shall draw
 34 lots so that one (1) Commissioner serves a term of six (6) years, one (1)
 35 Commissioner serves a term of seven (7) years, one (1) Commissioner serves a
 36 term of eight (8) years, one (1) Commissioner serves a term of nine (9)

1 years, and one (1) Commissioner serves a term of ten (10) years.

2 (2) All subsequently appointed Commissioners shall serve a term
3 of ten (10) years.

4 (e)(1) The General Assembly may, by a three-fifths (3/5) vote of each
5 house, amend subsection (b) of this section in the regular session following
6 each federal decennial census.

7 (2) If the General Assembly amends subsection (b) of this
8 section in a regular session, new Commissioners shall be appointed.

9 (3) An act amending subsection (b) of this section shall specify
10 when the terms of newly appointed Commissioners shall commence and the terms
11 of prior appointed Commissioners shall be cut short and terminate.

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13 SECTION 2. Arkansas Constitution, Amendment 42, § 3, is repealed.

14 ~~§ 3. Terms of office of members.~~

15 ~~Upon the expiration of the foregoing terms of said Commissioners, a~~
16 ~~successor shall be appointed by the Governor in the manner provided for in~~
17 ~~Section 2 for a term of ten years, which term shall thereafter be for each~~
18 ~~member of the Commission.~~

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20 SECTION 3. EFFECTIVE DATE AND IMPLEMENTATION.

21 (a) This amendment is effective on and after November 6, 2024.

22 (b) On January 1, 2025:

23 (1) The terms of the persons serving on the State Highway
24 Commission prior to January 1, 2025, shall be cut short and terminate; and

25 (2) The terms of the members of the commission appointed under
26 Section 1 of this amendment shall commence.

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28 SECTION 4. BALLOT TITLE AND POPULAR NAME. When this proposed
29 amendment is submitted to the electors of this state on the general election
30 ballot:

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

33 (2) The popular name shall be "A Constitutional Amendment
34 Providing for the Appointment of Members of the State Highway Commission from
35 Certain Counties of the State".

/s/B. King

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