



Annual Legislative Sessions



PROPOSED CONSTITUTIONAL AMENDMENT NO. 2

(Referred to the People by the General Assembly)

POPULAR NAME: An amendment providing that no legislative appropriation shall be for a period longer than one year, providing for fiscal legislative sessions, requiring the General Assembly to meet every year with regular sessions continuing to be held in odd-numbered years and fiscal sessions held in even-numbered years, unless the General Assembly votes to hold regular sessions in even-numbered years and fiscal sessions in odd-numbered years, and allowing the General Assembly to consider non-fiscal matters during a fiscal session upon approval of two-thirds of both houses.

BALLOT TITLE: Proposing a constitutional amendment to reduce the period for which appropriation bills are valid from two (2) years to one (1) fiscal year; to require the General Assembly to meet in a limited fiscal session during even-numbered years to consider appropriation bills; to establish the length of sessions; and to make conforming amendments to reflect the changes proposed in this amendment.

Why is the issue on the ballot of a general election?

By approving House Joint Resolution 1004, the state legislature has proposed amending the Arkansas Constitution to include proposed Constitutional Amendment No. 2. All constitutional amendments require approval by a majority of voters in a statewide election.

What does this amendment do?

The Arkansas Constitution provides for regular 60-day legislative sessions in odd-numbered years. Under proposed Constitutional Amendment No. 2, the Arkansas General Assembly would continue to meet in regular sessions in odd-numbered years and would begin meeting in fiscal sessions in 2010 and in all subsequent even-numbered years.

The amendment would restrict the fiscal sessions to 30 days with one 15-day extension if approved by three-fourths of the legislators in both the House and Senate.

The purpose of the fiscal sessions would be to consider appropriation bills. Any bill other than an appropriation bill would only be considered in a fiscal session if approved by two-thirds of the legislators.

The fiscal session would convene on the second Monday in February unless changed by a two-thirds vote of the legislators.

The proposal would make it more difficult to extend regular sessions more than 15 days. A two-thirds vote of both chambers is required for a 15-day extension of a regular session. This would remain the same under the proposed amendment. Currently, the law does not specify the number of days a regular session may be extended. This proposal would not allow a regular session to exceed 75 calendar days without a three-fourths vote of both chambers.

Fiscal appropriation matters would be addressed in both the regular and fiscal sessions.

All agencies that currently submit biennial budget requests for legislative approval would be required to submit budgets every year for legislative review and approval under the proposed amendment.

The governor would continue to have authority to call special sessions.

How often do other state legislatures meet?

Arkansas is one of six states where the legislature does not meet on an annual basis. Other states are Montana, Nevada, North Dakota, Oregon and Texas.

The following statements are what supporters and opponents have made public either in media statements and literature or on web sites. The University of Arkansas does not endorse or in any way validate these statements.

What do supporters say?

Supporters state the proposed amendment would allow lawmakers to have more control over the state's budget and the various state agencies by reviewing their appropriations more frequently. Proponents believe that a move to annual sessions would cut back on the frequency of special sessions and would allow legislators to correct errors made in the previous session.

What do opponents say?

The measure is opposed by groups who believe the current system is adequate. Opponents are concerned that the amendment would create a full-time legislature and would present an increased burden on taxpayers as well as a hardship on legislators with full-time jobs.

When does the legislation take effect, if passed?

The proposed constitutional amendment would go into effect on January 1, 2009.

What does a "FOR" vote mean?

A "FOR" vote would amend the state constitution to require the Arkansas General Assembly to meet annually. Legislators would continue to convene regular sessions in odd-numbered years and begin fiscal sessions in even-numbered years unless the legislature voted to switch this pattern in the future. The first fiscal session would convene in 2010.

What does an "AGAINST" vote mean?

If the amendment does not receive a majority of the votes, the state constitution will not be amended. Arkansas will continue to hold regular biennial legislative sessions in odd-numbered years.



Where can I find more information?

The complete and official text of each ballot measure can be obtained through the Arkansas Secretary of State's Office:

- Phone: 501-682-1010
- Web site: <http://www.votenaturally.org>

For additional information, including links to major support and opposition groups, please visit the University of Arkansas Division of Agriculture's Public Policy Center web site at <http://ppc.uaex.edu> or contact your county Cooperative Extension Service office.

The following is information regarding this proposed constitutional amendment as it will appear on the state's November 4 general election ballot.

Proposed Constitutional Amendment No. 2 (Referred to the People by the General Assembly)

(Popular Name)

AN AMENDMENT PROVIDING THAT NO LEGISLATIVE APPROPRIATION SHALL BE FOR A PERIOD LONGER THAN ONE YEAR, PROVIDING FOR FISCAL LEGISLATIVE SESSIONS, REQUIRING THE GENERAL ASSEMBLY TO MEET EVERY YEAR WITH REGULAR SESSIONS CONTINUING TO BE HELD IN ODD-NUMBERED YEARS AND FISCAL SESSIONS HELD IN EVEN-NUMBERED YEARS, UNLESS THE GENERAL ASSEMBLY VOTES TO HOLD REGULAR SESSIONS IN EVEN-NUMBERED YEARS AND FISCAL SESSIONS IN ODD-NUMBERED YEARS, AND ALLOWING THE GENERAL ASSEMBLY TO CONSIDER NON-FISCAL MATTERS DURING A FISCAL SESSION UPON APPROVAL OF TWO-THIRDS OF BOTH HOUSES.

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(Ballot Title)

PROPOSING A CONSTITUTIONAL AMENDMENT TO REDUCE THE PERIOD FOR WHICH APPROPRIATION BILLS ARE VALID FROM TWO (2) YEARS TO ONE (1) FISCAL YEAR; TO REQUIRE THE GENERAL ASSEMBLY TO MEET IN A LIMITED FISCAL SESSION DURING EVEN-NUMBERED YEARS TO CONSIDER APPROPRIATION BILLS; TO ESTABLISH THE LENGTH OF SESSIONS; AND TO MAKE CONFORMING AMENDMENTS TO REFLECT THE CHANGES PROPOSED IN THIS AMENDMENT.

FOR Proposed Referred Amendment No. 2
AGAINST Proposed Referred Amendment No. 2

Exercising your voting privilege

We live in a democratic society where voting is a privilege of citizenship. Democracy works best when informed citizens exercise their voting privilege. Please vote November 4, 2008.

References

- Revised budget forecast bolsters need for yearly session, Harris says. *The Morning News*. April 9, 2008.
- Farm Bureau opposes annual legislative sessions. *Arkansas News Bureau*. July 23, 2008.
- Backer of assembly shift cites budget. *Arkansas Democrat-Gazette*. July 24, 2008.
- GOP delegates vote to back annual sessions. *Arkansas Democrat-Gazette*. July 27, 2008.

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