

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

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021

HJR 1009

4  
5 By: Representative Dotson

**HOUSE JOINT RESOLUTION**

8 AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING  
9 THE STATE HIGHWAY COMMISSION; CHANGING THE NAME OF  
10 THE STATE HIGHWAY COMMISSION TO THE STATE  
11 TRANSPORTATION COMMISSION; PROVIDING FOR INCREASED  
12 LEGISLATIVE OVERSIGHT OF THE STATE TRANSPORTATION  
13 COMMISSION BY PROVIDING THAT THE POWERS AND DUTIES OF  
14 THE STATE TRANSPORTATION COMMISSION MAY BE PRESCRIBED  
15 BY LAW; REVISING THE MEMBERSHIP AND THE POWERS AND  
16 DUTIES OF THE STATE TRANSPORTATION COMMISSION; AND  
17 PROVIDING THAT THE STATE TRANSPORTATION COMMISSION  
18 SHALL APPOINT A SECRETARY OF TRANSPORTATION WHO SHALL  
19 HAVE DUTIES AS PRESCRIBED BY LAW.

**Subtitle**

22  
23 AN AMENDMENT TO THE ARKANSAS CONSTITUTION  
24 CONCERNING THE STATE HIGHWAY COMMISSION.

25  
26  
27 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL  
28 ASSEMBLY OF THE STATE OF ARKANSAS, AND BY THE SENATE, A MAJORITY OF ALL  
29 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

30  
31 That the following is proposed as an amendment to the Constitution of  
32 the State of Arkansas, and upon being submitted to the electors of the state  
33 for approval or rejection at the next general election for Representatives  
34 and Senators, if a majority of the electors voting thereon at the election  
35 adopt the amendment, the amendment shall become a part of the Constitution of  
36 the State of Arkansas, to wit:



1  
2 SECTION 1. Arkansas Constitution, Amendment 42, §§ 1 and 2, are  
3 amended to read as follows:

4 § 1. Commission created – Members – Powers.

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

11  
12 § 2. Qualifications and appointment of members – Terms of office of  
13 first commission.

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

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

31  
32 SECTION 2. Arkansas Constitution, Amendment 42, § 6, is amended to  
33 read as follows:

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

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

1 ~~Commission or by statute~~ law.

2  
3 SECTION 3. EFFECTIVE DATE. This amendment shall be effective on and  
4 after July 1, 2023.

5  
6 SECTION 4. BALLOT TITLE AND POPULAR NAME. When this proposed  
7 amendment is submitted to the electors of this state on the general election  
8 ballot:

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

11 (2) The popular name shall be "A Constitutional Amendment  
12 Concerning the State Highway Commission and Amending the Name, Membership,  
13 Powers, and Duties of the State Highway Commission".