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THE SENATE
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December 31, 2014

The Honorable Dustin McDaniel
Attorney General – State of Arkansas
ATTN: Opinions Department
323 Center Street, Suite 1100
Little Rock, Arkansas 72201

Dear Attorney General McDaniel:

I am writing to request your opinion on an issue that has arisen regarding the duties of the Independent Citizens Commission (“the Commission”) created by the passage of Issue 3 (now known as Amendment 94) at the 2014 general election.

BACKGROUND:

Amendment 94 created Article 19, Section 31, of the Arkansas Constitution, which created the Commission and has specific charges for the Commission including setting the salaries of elected constitutional officers of the executive department, members of the General Assembly, justices and judges. Specifically Section 31(i)(3)(A)(i) states “The independent citizens commission ... shall complete an initial review of the salaries for the positions under subsection (d) of this section no later than ninety days after the effective date of this section.” A question has arisen about what specifically is to be included in this “initial review of the salaries.” For instance, Section 31(i)(3)(A)(ii) states the Commission “may file any adjustments in salary *resulting from the initial review*” upon satisfying certain public notice requirements outlined in the Amendment.

QUESTION:

- 1) Must the Independent Citizens Commission provide the proposed adjustments in salary levels for all relevant elected officials in the “initial review” or may the Commission issue a fact-finding report as the initial review and make decisions on future salaries at a later date?

Thank you in advance for your attention to this request. If you have questions or need additional information, please feel free to contact me.

Respectfully,

A handwritten signature in blue ink that reads "Jon Woods".

Jon Woods
State Senator
District 7