SENATE JOINT RESOLUTION

AMENDING THE ARKANSAS CONSTITUTION TO AMEND AMENDMENT 33 CONCERNING BOARDS AND COMMISSIONS GOVERNING STATE INSTITUTIONS; TO PROMOTE ACCOUNTABILITY, AFFORDABILITY, AND EFFICIENCY IN HIGHER EDUCATION BY ESTABLISHING THE ARKANSAS SYSTEM OF HIGHER EDUCATION COMMISSION; TO PROHIBIT THE INCREASE OF TUITION AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION WITHOUT APPROVAL FROM THE GENERAL ASSEMBLY.

Subtitle

TO PROMOTE ACCOUNTABILITY, AFFORDABILITY, AND EFFICIENCY IN HIGHER EDUCATION BY ESTABLISHING THE ARKANSAS SYSTEM OF HIGHER EDUCATION COMMISSION.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, 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. Amendment 33, Section 2, of the Arkansas Constitution is amended to read as follows:
2. Abolition or transfer of powers of board or commission -
Restrictions.

(a) The board or commission of any institution, governed by this
amendment, shall not be abolished nor shall the powers vested in any such
board or commission be transferred, unless the institution is abolished or
consolidated with some other State institution. In the event of abolition or
consolidation, the new board or commission shall consist of a membership of
five, seven, or ten.

(b) Subsection (a) of this section does not apply to a board or
commission charged with the management or control of a state-supported
institution of higher education.

SECTION 2. Amendment 33 of the Arkansas Constitution is amended to add
a new section to read as follows:

6. Arkansas System of Higher Education.

(a) All state-supported institutions of higher education funded wholly
or in-part by direct legislative appropriations shall be integral parts of a
unified system to be known as the Arkansas System of Higher Education.

(b)(1) There is established the Arkansas System of Higher Education
Commission, consisting of nine (9) members appointed by the Governor and
confirmed by the Senate, whose qualifications shall be prescribed by law.

(2)(A) The Governor shall appoint initial commission members no
later than July 1, 2013, as follows:

(i) Three (3) for terms of three (3) years;
(ii) Three (3) for terms of six (6) years; and
(iii) Three (3) for terms of nine (9) years.

(3) Any appointment to fill a vacancy on the commission shall be
effective until the expiration of the original term.

(4) The General Assembly shall prescribe by law the general
operation of the commission, including without limitation:

(A) Meeting requirements;
(B) Per diem;
(C) Reporting;
(D) Selection and duration of a chair; and
(E) Staffing.

(c) The commission shall constitute the governing board of control for
all state-supported institutions described in subsection (a) of this section
6, with the powers and duties to:

(1) Prescribe standards of education applicable to each state-
supported institution of higher education;

(2) Determine the functions and courses of study in each of the
state-supported institutions of higher education to conform to the prescribed
standards;

(3) Grant degrees and other forms of academic recognition for
completion of the prescribed courses in all state-supported institutions of
higher education;

(4) Recommend to the General Assembly the budget allocations for
each state-supported institution of higher education for final approval by
the General Assembly as prescribed by law;

(5) Recommend to the General Assembly proposed tuition and fees
for all state-supported institutions of higher education for final approval
by the General Assembly as prescribed by law; and

(6) Exercise other powers and duties assigned by the General
Assembly as prescribed by law.

(d) The appropriation made by the General Assembly for state-supported
institutions of higher education shall be made in consolidated form to the
commission and the commission shall distribute the appropriated funds to each
state-supported institution of higher education according to the allocation
approved by the General Assembly for each state-supported institution of
higher education under subdivision (c)(4) of this section.

SECTION 3. This amendment shall become effective on July 1, 2013.