

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

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4  
5 By: Senator J. Jeffress

SJR 8

**SENATE JOINT RESOLUTION**

8 AMENDING THE ARKANSAS CONSTITUTION TO AMEND AMENDMENT  
9 33 CONCERNING BOARDS AND COMMISSIONS GOVERNING STATE  
10 INSTITUTIONS; TO PROMOTE ACCOUNTABILITY,  
11 AFFORDABILITY, AND EFFICIENCY IN HIGHER EDUCATION BY  
12 ESTABLISHING THE ARKANSAS SYSTEM OF HIGHER EDUCATION  
13 COMMISSION; TO PROHIBIT THE INCREASE OF TUITION AT  
14 STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION  
15 WITHOUT APPROVAL FROM THE GENERAL ASSEMBLY.

**Subtitle**

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

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24 BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE  
25 STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL  
26 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

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

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35 SECTION 1. Amendment 33, Section 2, of the Arkansas Constitution is  
36 amended to read as follows:



1           2. Abolition or transfer of powers of board or commission -  
2 Restrictions.

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

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

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

15           6. Arkansas System of Higher Education.

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

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

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

24                           (i) Three (3) for terms of three (3) years;

25                           (ii) Three (3) for terms of six (6) years; and

26                           (iii) Three (3) for terms of nine (9) years.

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

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

31                           (A) Meeting requirements;

32                           (B) Per diem;

33                           (C) Reporting;

34                           (D) Selection and duration of a chair; and

35                           (E) Staffing.

36           (c) The commission shall constitute the governing board of control for

1 all state-supported institutions described in subsection (a) of this section  
2 6, with the powers and duties to:

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

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

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

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

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

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

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

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