

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H2/26/97

A Bill

HOUSE BILL 1625

4
5 By: Representative Judy Smith

For An Act To Be Entitled

9 "AN ACT TO ELECT A STUDENT MEMBER TO THE BOARD OF TRUSTEES
10 FOR COLLEGES AND UNIVERSITIES; AND FOR OTHER PURPOSES."

Subtitle

13 "AN ACT TO ELECT A STUDENT MEMBER TO THE
14 BOARD OF TRUSTEES FOR COLLEGES AND
15 UNIVERSITIES; AND FOR OTHER PURPOSES."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. Arkansas Code 6-64-201 is amended to read as follows:

20 "§ 6-64-201. Members - Meetings.

21 (a) The Board of Trustees of the University of Arkansas shall consist
22 of ten (10) members.

23 (b) The Governor shall appoint the trustee. These appointments shall
24 be with the consent of the Senate, except as provided in Arkansas
25 Constitution, Amendment 33, Section 5.

26 (c)(1)(A) One (1) member shall be appointed from each of the seven (7)
27 congressional districts in the state, ~~and three (3)~~ two (2) members shall be
28 appointed from the state at large, and one (1) member shall be appointed from
29 one (1) of the four (4) schools in the University of Arkansas system.

30 (B) In case of the increase or decrease of the number of
31 congressional districts in the state, the number of members appointed from the
32 state at large shall accordingly be increased or decreased by the Governor, so
33 that as soon as can be legally effected, there shall be one (1) member from
34 each congressional district in the state.

35 (2) The members who are appointed to the board from the state at
36 large shall be alumni of the University of Arkansas.

1 (d) The term of office shall be ten (10) years.

2 (e)(1) The student member who is appointed to the board shall be a
3 full-time, junior or senior undergraduate student at one (1) of the four (4)
4 schools in the University of Arkansas system and shall be a resident of this
5 state.

6 (A) If at any time during the term of office the student member
7 ceases to be a full-time undergraduate student or fails to maintain
8 satisfactory academic progress, the membership of the student on the board
9 shall be terminated and the office of the student member shall be deemed
10 vacant.

11 (j) Upon the expiration of the term immediately following the
12 passage of this act of an at large board member, the vacancy shall be filled
13 by a student member.

14 (2) The student member shall have all the privileges and rights
15 of other board members and shall receive the same stipend, travel, and other
16 expenses as other members of the board.

17 ~~(e)~~(f) The trustees shall make and subscribe to an affidavit before
18 entering upon their respective duties to faithfully, diligently, and
19 impartially discharge the duties of their office.

20 ~~(f)~~(g)(1) The board, for any cause deemed sufficient by them, shall
21 have power by a majority vote, taken at any meeting, to remove any member from
22 the board. However, no member shall be so removed unless as many as five (5)
23 of the trustees vote for removal.

24 (2) When any member of the board is so removed, the votes of the
25 trustees shall be recorded, and the president of the board shall make a
26 certificate showing the result of the vote and transmit the certificate
27 without delay to the Governor, who shall at once declare the commission which
28 had been issued to the removed trustee vacated, and he shall appoint and
29 *commission some competent person to fill the vacancy so occasioned.*

30 ~~(g)~~(h)(1) The annual meetings of the board shall be at the University
31 Building on Monday of the last week of the commencement exercises of each
32 year.

33 (2) The board shall elect a presiding officer.

34 (3) A lesser number than a quorum may adjourn from time to time.

35 (4) The board shall have the power to hold adjourned meetings when
36 the business of the university actually requires it, or the president of the

1 board may call a meeting of the board when he is satisfied the interest of the
2 university requires, or when five (5) members of the board petition him so to
3 do.

4 ~~(h)~~(i)(1) The trustees' necessary traveling expenses and board bills
5 and other necessary incidental expenses in carrying this section into effect
6 shall be paid by the state, upon the official certificate of the person
7 incurring such expense being approved by the president of the board, which
8 shall be a voucher in the office of the Auditor of State.

9 (2) The trustees shall each receive two dollars and fifty cents
10 (\$2.50) for each day necessarily consumed on duty as trustees, payable as
11 provided for in this section."

12

13 SECTION 2. Arkansas Code 6-65-201 is amended to read as follows:

14 "§ 6-65-201. Board of trustees.

15 (a) There is created an honorary board constituting the Board of
16 Trustees of Arkansas State University.

17 (b)(1) *The board shall consist of ~~five (5)~~ four (4) members appointed*
18 *from the state at large and one (1) member who is a full-time undergraduate*
19 *student and a resident of this state.*

20 (2) The Governor, by and with the advice and consent of the Senate,
21 shall appoint the members of the board.

22 (3) The Secretary of State shall furnish a certificate to each board
23 member within ten (10) days following appointment, whereupon the appointee
24 shall notify the Governor and the Secretary of State in writing of his
25 acceptance of such appointment within thirty (30) days, and if such appointee
26 shall fail to give such notice of his acceptance within the time required,
27 then the appointment shall be declared void and another appointment shall be
28 made.

29 (c)(1) Members of the board appointed by the Governor under the
30 provisions of this section, in addition to possessing the qualifications of an
31 elector, shall reside in the State of Arkansas.

32 (2)(A) The Governor, Attorney General, Secretary of State, Auditor
33 of State, Treasurer of State, Commissioner of State Lands, Justices of the
34 Supreme Court, and the director or employees of any state department, state
35 agency, or state institution shall be ineligible for membership on the board
36 provided for in this section during the time for which he was elected or

1 appointed.

2 (B) No individual may be a member of more than one (1) of the
3 boards created under the provisions of § 25-17-201 at the same time.

4 (d)(1) *The term of office for each member shall commence on January 15*
5 *and shall end on January 14 of the fifth year following the year in which the*
6 *regular term commenced.*

7 (2) The Governor shall submit to the Senate for approval, on or
8 before the fourteenth day following the commencement of each regular session
9 of the General Assembly, the names of all unconfirmed appointments made by him
10 to fill expired terms and the names of appointments to fill the terms expiring
11 during the regular session of the General Assembly. The members appointed by
12 the Governor to fill vacancies caused by the expiration of the terms of
13 members may qualify and hold office until the appointments are rejected by the
14 Senate.

15 (3) Upon the expiration of the term immediately following the passage
16 of this act of a board member, the vacancy shall be filled by a student
17 member.

18 (e) *Vacancies on the Board of Trustees of Arkansas State University*
19 *shall be filled by appointments by the Governor from the state at large.*

20 (f) *Any vacancies arising in the membership of the board for any reason*
21 *other than expiration of the regular terms for which the members were*
22 *appointed shall be filled by the appointment of the Governor, subject to the*
23 *approval by a majority of the remaining members of the board and shall be*
24 *thereafter effective until the expiration of the regular terms.*

25 (g)(1) Before entering upon his respective duties, each board member
26 shall take and subscribe, and file in the office of the Secretary of State, an
27 oath to support the Constitution of the United States and the Constitution of
28 the State of Arkansas, and to faithfully perform the duties of the office upon
29 which he is about to enter, and that he will not be or become interested,
30 directly or indirectly, in any contract made by the board.

31 (2)(A) Any violation of the oath shall be a misdemeanor and shall be
32 punished by a fine of not less than five hundred dollars (\$500) or by
33 imprisonment of not less than six (6) months, or by both fine and
34 imprisonment.

35 (B) Any contract entered into in violation of the oath shall be
36 null and void.

1 (h) Members of the board provided for in this section shall be entitled
2 to their actual expenses of attending meetings.

3 (i)(1) The Governor shall have the power to remove any member of
4 the board before the expiration of his term for cause only, after notice and
5 hearing.

6 (2) The removal shall become effective only when approved in writing
7 by a majority of the total number of the board, but the member removed or his
8 successor shall have no right to vote on the question of removal.

9 (3) The removal action shall be filed with the Secretary of State
10 together with a complete record of the proceedings at the hearing.

11 (4)(A) An appeal may be taken to the Pulaski Circuit Court by the
12 Governor or the member ordered removed, and the appeal shall be tried de novo
13 on the record of the hearing before the Governor.

14 (B) An appeal may be taken from the circuit court to the
15 ~~Supreme~~ Supreme Court, which shall likewise be tried de novo.

16 (j)(1) The student member who is to the board shall be a full-time,
17 junior or senior undergraduate student at Arkansas State University and shall
18 be a resident of this state.

19 (A) If at any time during the term of office the student member
20 ceases to be a full-time undergraduate student or fails to maintain
21 satisfactory academic progress, the membership of the student on the board
22 shall be terminated and the office of the student member shall be deemed
23 vacant.

24 (2) The student member shall have all the privileges and rights of
25 other board members and shall receive the same stipend, travel, and other
26 expenses as other members of the board."

27

28 SECTION 3. Arkansas Code 6-65-301 is amended to read as follows:

29 "§ 6-65-301. Board of trustees.

30 (a) There is created an honorary board constituting the Board of
31 Trustees of Arkansas Tech University.

32 (b)(1) The board shall consist of ~~five (5)~~ four (4) members to be
33 appointed from the counties in the Second Agricultural and Mechanical District
34 and one (1) member who is a full-time undergraduate student and a resident of
35 this state.

36 (2) The Governor, by and with the advice and consent of the Senate,

1 shall appoint the members of the board.

2 (3) The Secretary of State shall furnish a certificate to each board
3 member within ten (10) days following appointment, whereupon the appointee
4 shall notify the Governor and the Secretary of State in writing of his
5 acceptance of such appointment within thirty (30) days, and if such appointee
6 shall fail to give such notice of his acceptance within the time required,
7 then the appointment shall be declared void and another appointment shall be
8 made.

9 (c)(1) Members of the board appointed by the Governor under the
10 provisions of this section, in addition to possessing the qualifications of an
11 elector, shall reside in the State of Arkansas.

12 (2)(A) The Governor, Attorney General, Secretary of State, Auditor
13 of State, Treasurer of State, Commissioner of State Lands, Justices of the
14 Supreme Court, and the director or employees of any state department, state
15 agency, or state institution shall be ineligible for membership on the board
16 provided for in this section during the time for which he was elected or
17 appointed.

18 (B) No individual may be a member of more than one (1) of the
19 boards created under the provisions of § 25-17-201 at the same time.

20 (d)(1) *The term of office for each member shall commence on January 15*
21 *and shall end on January 14 of the fifth year following the year in which the*
22 *regular term commenced.*

23 (2) The Governor shall submit to the Senate for approval, on or
24 before the fourteenth day following the commencement of each regular session
25 of the General Assembly the names of all unconfirmed appointments made by him
26 to fill expired terms and the names of appointments to fill the terms expiring
27 during the regular session of the General Assembly. The members appointed by
28 the Governor to fill vacancies caused by the expiration of the terms of
29 members may qualify and hold office until the appointments are rejected by the
30 Senate.

31 (3) Upon the expiration of the term immediately following the
32 passage of this act of a board member, the vacancy shall be filled by a
33 student member.

34 (e) Any vacancies arising in the membership of the board for any reason
35 other than the expiration of the regular terms for which the members were
36 appointed shall be filled by the appointment of the Governor, subject to the

1 approval by a majority of the remaining members of the board and shall be
2 thereafter effective until the expiration of the regular terms.

3 (f)(1) Before entering upon his respective duties, each board member
4 shall take and subscribe, and file in the office of the Secretary of State, an
5 oath to support the Constitution of the United States and the Constitution of
6 the State of Arkansas, and to faithfully perform the duties of the office upon
7 which he is about to enter, and that he will not be or become interested,
8 directly or indirectly, in any contract made by the board.

9 (2)(A) Any violation of the oath shall be a misdemeanor and shall be
10 punished by a fine of not less than five hundred dollars (\$500) or by
11 imprisonment of not less than six (6) months, or by both fine and
12 imprisonment.

13 (B) Any contract entered into in violation of the oath shall be
14 null and void.

15 (g) Members of the board provided for in this section shall be entitled
16 to their actual expenses of attending meetings.

17 (h)(1) The Governor shall have the power to remove any member of the
18 board before the expiration of his term for cause only, after notice and
19 hearing.

20 (2) The removal shall become effective only when approved in writing
21 by a majority of the total number of the board, but the member removed or his
22 successor shall have no right to vote on the question of removal.

23 (3) The removal action shall be filed with the Secretary of State
24 together with a complete record of the proceedings at the hearing.

25 (4)(A) An appeal may be taken to the Pulaski Circuit Court by the
26 Governor or the member ordered removed, and the appeal shall be tried de novo
27 on the record of the hearing before the Governor.

28 (B) An appeal may be taken from the circuit court to the Supreme
29 Court, which shall likewise be tried de novo.

30 (i)(1) The student member who is appointed to the board
31 shall be a full-time, junior or senior undergraduate student at Arkansas Tech
32 University and shall be a resident of this state.

33 (A) If at any time during the term of office the student member
34 ceases to be a full-time undergraduate student or fails to maintain
35 satisfactory academic progress, the membership of the student on the board
36 shall be terminated and the office of the student member shall be deemed

1 vacant.

2 (2) The student member shall have all the privileges and rights of
3 other board members and shall receive the same stipend, travel, and other
4 expenses as other members of the board."

5

6 SECTION 4. Arkansas Code 6-65-401 is amended to read as follows:

7 "§ 6-65-401. Board of trustees.

8 (a) The Governor, by and with the advice and consent of the Senate,
9 shall appoint a board of ~~five (5)~~ four (4) members as trustees for Southern
10 Arkansas University and one (1) member who is a full-time undergraduate
11 student and a resident of this state.

12 (b) The board shall constitute the Board of Trustees of Southern
13 Arkansas University and shall be appointed from the counties in the Third
14 Agricultural and Mechanical College District.

15 (c)(1) All board members appointed under the provisions of this section
16 shall be qualified electors and shall reside in the State of Arkansas.

17 (2) The Governor, Attorney General, Secretary of State, Auditor of
18 State, Treasurer of State, Commissioner of State Lands, and Justices of the
19 Supreme Court and the director or employees of any state department, state
20 agency, or state institution shall not be eligible for membership on the board
21 appointed under this section.

22 (d) The Governor shall submit to the Senate for approval, on or before
23 the fourteenth day following the commencement of each regular session of the
24 General Assembly, the names of all unconfirmed appointments made by him to
25 fill expired terms and the names of appointments to fill the terms expiring
26 during the regular session of the General Assembly. However, members appointed
27 by the Governor to fill vacancies caused by the expiration of the terms of
28 members may qualify and hold office until such appointments shall be rejected
29 by the Senate.

30 (e)(1) The Secretary of State shall furnish a certificate to each board
31 member within ten (10) days following appointment, whereupon the appointee
32 shall notify the Governor and the Secretary of State in writing of his
33 acceptance of the appointment within thirty (30) days.

34 (2) If the appointee fails to give such notice of his acceptance
35 within the time required, then the appointment shall be declared void and
36 another appointment shall be made.

1 (f)(1) The regular term of office of the members of the board to be
2 appointed by the Governor under the provisions of this section shall be
3 arranged in such a manner that the term of one (1) of the board members shall
4 expire on January 14 of each year.

5 (2) The term of office shall commence on January 15 immediately
6 following the expiration date of the preceding term and shall end on January
7 14 of the fifth year following the year in which the regular term commenced.

8 (3) Upon the expiration of the term immediately following the
9 passage of this act of a board member, the vacancy shall be filled by a
10 student member.

11 (g) Any vacancies arising in the membership of the board for any reason
12 other than the expiration of the regular terms for which the members were
13 appointed shall be filled by the appointment of the Governor, subject to the
14 approval by a majority of the remaining members of the board and shall be
15 thereafter effective until the expiration of the regular term unless the
16 appointment is rejected by the Senate at the next regular session of the
17 General Assembly.

18 (h)(1) Before entering upon his respective duties, each board member
19 shall take, subscribe, and file in the office of the Secretary of State an
20 oath to support the Constitution of the United States and the Constitution of
21 the State of Arkansas and to faithfully perform the duties of the office upon
22 which he is about to enter, and that he will not be or become interested,
23 directly or indirectly, in any contract made by the board.

24 (2)(A) Any violation of the oath shall be a misdemeanor and the
25 punishment for the violation shall be by fine of not less than five hundred
26 dollars (\$500) or by imprisonment of not less than six (6) months, or by both
27 fine and imprisonment.

28 (B) Any contract entered into in violation of the oath shall be
29 null and void.

30 (i)(1) The Governor shall have the power to remove any
31 member of the board before the expiration of his term for cause only, after
32 notice and hearing.

33 (2) The removal shall become effective only when approved in writing
34 by a majority of the total number of the board, but without the right to vote
35 by the member to be removed or his successor, which action shall be filed with
36 the Secretary of State with a complete record of the proceedings at the

1 hearing.

2 (3)(A) An appeal may be taken to the Pulaski County Circuit Court by
3 the Governor or the member ordered removed, and the cause shall be tried de
4 novo on the record of the hearing before the Governor.

5 (B) An appeal may be taken from the circuit court to the Supreme
6 Court, which shall likewise be tried de novo.

7 (j)(1) The student member who is appointed to the board shall be a
8 full-time, junior or senior undergraduate student at Southern Arkansas
9 University and shall be a resident of this state.

10 (A) If at any time during the term of office the student member
11 ceases to be a full-time undergraduate student or fails to maintain
12 satisfactory academic progress, the membership of the student on the board
13 shall be terminated and the office of the student member shall be deemed
14 vacant.

15 (2) The student member shall have all the privileges and rights of
16 other board members and shall receive the same stipend, travel, and other
17 expenses as other members of the board."

18

19 SECTION 5. Arkansas Code 6-66-101 is amended to read as follows:

20 "§ 6-66-101. Board of trustees.

21 (a) There is created an honorary board constituting the Board of
22 Trustees of Henderson State University, which is made and continued a body
23 politic and corporate.

24 (b)(1) The board shall consist of seven (7) members.

25 (2) The Governor, by and with the advice and consent of the Senate,
26 shall appoint the members of the board.

27 (3) The Secretary of State shall furnish a certificate to each board
28 member within ten (10) days following appointment, whereupon the appointee
29 shall notify the Governor and the Secretary of State in writing of his
30 acceptance of such appointment within thirty (30) days, and if such appointee
31 shall fail to give such notice of his acceptance within the time required,
32 then the appointment shall be declared void and another appointment shall be
33 made.

34 (c)(1) Members of the board appointed by the Governor under the
35 provisions of this section, in addition to possessing the qualifications of an
36 elector, shall reside in the State of Arkansas.

1 (2)(A) The Governor, Attorney General, Secretary of State, Auditor
2 of State, Treasurer of State, Commissioner of State Lands, Justices of the
3 Supreme Court, and the director or employees of any state department, state
4 agency, or state institution shall be ineligible for membership on the board
5 provided for in this section during the time for which he was elected or
6 appointed.

7 (B) No individual may be a member of more than one (1) of the
8 boards created under the provisions of § 25-17-201 at the same time.

9 (d)(1) *The term of office for each member shall commence on January 15*
10 *and shall end on January 14 of the seventh year following the year in which*
11 *the regular term commenced.*

12 (2) The Governor shall submit to the Senate for approval, on or
13 before the fourteenth day following the commencement of each regular session
14 of the General Assembly the names of all unconfirmed appointments made by him
15 to fill expired terms and the names of appointments to fill the terms expiring
16 during the regular session of the General Assembly. The members appointed by
17 the Governor to fill vacancies caused by the expiration of the terms of
18 members may qualify and hold office until the appointments are rejected by the
19 Senate.

20 (3) Upon the expiration of the term immediately following the
21 passage of this act of a board member, the vacancy shall be filled by a
22 student member.

23 (e) Any vacancies arising in the membership of the board for any reason
24 other than the expiration of the regular terms for which the members were
25 appointed shall be filled by the appointment of the Governor, subject to the
26 approval by a majority of the remaining members of the board, and shall be
27 thereafter effective until the expiration of the regular terms.

28 (f)(1) Before entering upon his respective duties, each board member
29 shall take and subscribe and file in the office of the Secretary of State an
30 oath to support the Constitution of the United States and the Constitution of
31 the State of Arkansas, and to faithfully perform the duties of the office upon
32 which he is about to enter, and that he will not be or become interested,
33 directly or indirectly, in any contract made by the board.

34 (2)(A) Any violation of the oath shall be a misdemeanor and shall be
35 punished by a fine of not less than five hundred dollars (\$500) or by
36 imprisonment of not less than six (6) months, or by both fine and

1 imprisonment.

2 (B) Any contract entered into in violation of the oath shall be
3 null and void.

4 (g)(1)(A) There shall be one (1) regular meeting of the board each year
5 to be held within thirty (30) days after the close of commencement week.

6 (B) Called meetings may be held at the request of the president
7 or of any two (2) members of the board if at least seven (7) days' written
8 notice is given in advance to each member of the called meeting, except in
9 cases of emergency, when three (3) days' notice will suffice.

10 (2) The board shall elect from its members a chairman who shall
11 preside at the meetings of the board, a vice chairman who shall preside at the
12 meetings of the board in the absence of the regular chairman, and a secretary
13 who shall keep the records of the meetings of the board. The secretary need
14 not be a member of the board.

15 (3) A majority of the board shall constitute a quorum.

16 (4) Members of the board provided for in this section shall be
17 entitled to their actual expenses of attending meetings.

18 (h)(1) The Governor shall have the power to remove any member of the
19 board before the expiration of his term for cause only, after notice and
20 hearing.

21 (2) The removal shall become effective only when approved in writing
22 by a majority of the total number of the board, but the member removed or his
23 successor shall have no right to vote on the question of removal.

24 (3) The removal action shall be filed with the Secretary of State
25 together with a complete record of the proceedings at the hearing.

26 (4)(A) An appeal may be taken to the Pulaski Circuit Court by the
27 Governor or the member ordered removed, and the appeal shall be tried de novo
28 on the record of the hearing before the Governor.

29 (B) An appeal may be taken from the circuit court to the Supreme
30 Court, which shall likewise be tried de novo.

31 (i)(1) The student member who is appointed to the board
32 shall be a full-time, junior or senior undergraduate student at Henderson
33 State University and shall be a resident of this state.

34 (A) If at any time during the term of office the student member
35 ceases to be a full-time undergraduate student or fails to maintain
36 satisfactory academic progress, the membership of the student on the board

1 shall be terminated and the office of the student member shall be deemed
2 vacant.

3 (2) The student member shall have all the privileges and rights of
4 other board members and shall receive the same stipend, travel, and other
5 expenses as other members of the board."

6

7 SECTION 6. Arkansas Code 6-67-102 is amended to read as follows:

8 "§ 6-67-102. Board of trustees.

9 (a) There is created an honorary board constituting the Board of
10 Trustees of the University of Central Arkansas, which is made and constituted
11 a body politic and corporate.

12 (b)(1) *The board shall consist of seven (7) members.*

13 (2) The Governor, by and with the advice and consent of the Senate,
14 shall appoint the members of the board.

15 (3) The Secretary of State shall furnish a certificate to each board
16 member within ten (10) days following appointment, whereupon the appointee
17 shall notify the Governor and the Secretary of State in writing of his
18 acceptance of such appointment within thirty (30) days, and if such appointee
19 shall fail to give such notice of his acceptance within the time required,
20 then the appointment shall be declared void and another appointment shall be
21 made.

22 (c)(1) Members of the board appointed by the Governor under the
23 provisions of this section, in addition to possessing the qualifications of an
24 elector, shall reside in the State of Arkansas.

25 (2)(A) The Governor, Attorney General, Secretary of State, Auditor
26 of State, Treasurer of State, Commissioner of State Lands, Justices of the
27 Supreme Court, and the director or employees of any state department, state
28 agency, or state institution shall be ineligible for membership on the board
29 provided for in this section during the time for which he was elected or
30 appointed.

31 (B) No individual may be a member of more than one (1) of the
32 boards created under the provisions of § 25-17-201 at the same time.

33 (d)(1) *The term of office for each member shall commence on January 15*
34 *and shall end on January 14 of the seventh year following the year in which*
35 *the regular term commenced.*

36 (2) The Governor shall submit to the Senate for approval, on or

1 before the fourteenth day following the commencement of each regular session
2 of the General Assembly, the names of all unconfirmed appointments made by him
3 to fill expired terms and the names of appointments to fill the terms expiring
4 during the regular session of the General Assembly. The members appointed by
5 the Governor to fill vacancies caused by the expiration of the terms of
6 members may qualify and hold office until the appointments are rejected by the
7 Senate.

8 (3) Upon the expiration of the term immediately following the passage
9 of this act of a board member, the vacancy shall be filled by a student
10 member.

11 (e) Any vacancies arising in the membership of the board for any reason
12 other than the expiration of the regular terms for which the members were
13 appointed shall be filled by the appointment of the Governor, subject to the
14 approval by a majority of the remaining members of the board, and shall be
15 thereafter effective until the expiration of the regular terms.

16 (f)(1) Before entering upon his respective duties, each board member
17 shall take and subscribe, and file in the office of the Secretary of State, an
18 oath to support the Constitution of the United States and the Constitution of
19 the State of Arkansas and to faithfully perform the duties of the office upon
20 which he is about to enter, and that he will not be or become interested,
21 directly or indirectly, in any contract made by the board.

22 (2)(A) Any violation of the oath shall be a misdemeanor and shall be
23 punished by a fine of not less than five hundred dollars (\$500) or by
24 imprisonment of not less than six (6) months, or by both fine and
25 imprisonment.

26 (B) Any contract entered into in violation of the oath shall be
27 null and void.

28 (g)(1)(A) There shall be one (1) regular meeting of the board each
29 year, to be held within thirty (30) days after the close of commencement week.

30 (B) Called meetings may be held at the request of the president
31 or of any two (2) members of the board if at least seven (7) days' written
32 notice is given, in advance, to each member of the called meeting, except in
33 cases of emergency, when three (3) days' notice is sufficient.

34 (2) The board shall elect from its members a chairman who shall
35 preside at the meetings of the board, a vice chairman who shall preside at the
36 meetings of the board in the absence of the regular chairman, and a secretary

1 who shall keep the records of the meetings of the board. The secretary need
2 not be a member of the board.

3 (3) A majority of the board shall constitute a quorum.

4 (4) Members of the board provided for in this section shall be
5 entitled to their actual expenses of attending meetings.

6 (h)(1) The Governor shall have the power to remove any member of the
7 board before the expiration of his term for cause only, after notice and
8 hearing.

9 (2) The removal shall become effective only when approved in writing
10 by a majority of the total number of the board, but the member removed or his
11 successor shall have no right to vote on the question of removal.

12 (3) The removal action shall be filed with the Secretary of State
13 together with a complete record of the proceedings at the hearing.

14 (4)(A) An appeal may be taken to the Pulaski County Circuit Court by
15 the Governor or the member ordered removed, and the appeal shall be tried de
16 novo on the record of the hearing before the Governor.

17 (B) An appeal may be taken from the circuit court to the Supreme
18 Court, which shall likewise be tried de novo.

19 (i)(1) The student member who is appointed to the board shall be a
20 full-time, junior or senior undergraduate student at the University of Central
21 Arkansas and shall be a resident of this state.

22 (A) If at any time during the term of office the student member
23 ceases to be a full-time undergraduate student or fails to maintain
24 satisfactory academic progress, the membership of the student on the board
25 shall be terminated and the office of the student member shall be deemed
26 vacant.

27 (2) The student member shall have all the privileges and rights of
28 other board members and shall receive the same stipend, travel, and other
29 expenses as other members of the board."

30

31 SECTION 7. All provisions of this act of a general and permanent nature
32 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
33 Revision Commission shall incorporate the same in the Code.

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35 SECTION 8. If any provision of this act or the application thereof to
36 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

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5 SECTION 9. All laws and parts of laws in conflict with this act are
6 hereby repealed.

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/s/Rep. Judy Smith

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