

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 2290

5 By: Representatives Dotson, Biviano, Alexander, Ballinger, Bell, J. Burris, Cozart, Deffenbaugh,
6 Eubanks, Farrer, Fite, Hammer, Harris, Hopper, Kerr, Lea, Lowery, D. Meeks, Miller, Neal, Payton, Rice,
7 Scott, Westerman, Womack
8 By: Senators Hester, J. Woods
9

For An Act To Be Entitled

10 AN ACT TO AMEND THE MEMBERSHIP OF THE STATE BOARD OF
11 EDUCATION; AND FOR OTHER PURPOSES.
12
13
14

Subtitle

15 TO AMEND THE MEMBERSHIP OF THE STATE
16 BOARD OF EDUCATION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 6-11-101(a) and (b), concerning the
23 membership of the State Board of Education, are amended to read as follows:

24 (a) The State Board of Education shall be composed of nine (9)
25 members:

26 (1) Two (2) members to be selected from each of the
27 congressional districts of the state as they exist on ~~the July 31, 2007~~
28 January 1, 2013; and

29 (2) One (1) member to be appointed at large from within the
30 state.

31 (b)(1) ~~The term of office of a member of the state board shall be for~~
32 ~~a single term of seven (7) years.~~ Members of the state board shall serve staggered
33 terms of five (5) years.

34 ~~(2)(A) Any member appointed to the state board to fill a vacancy~~
35 ~~for an uncompleted term with less than three (3) years remaining on the~~
36 ~~original term may be reappointed to an additional term of seven (7) years.~~



1 ~~(B) No member serving three (3) or more years on the state board~~
 2 ~~may be reappointed~~

3 (2) A member may be reappointed until the member has served a
 4 maximum of thirteen (13) years.

5 ~~(3) No current or new member shall be allowed to resign in order~~
 6 ~~to be appointed to a new term on the state board.~~

7 ~~(4) Nothing in this section shall be construed to change the~~
 8 ~~terms of any member of the state board who was appointed prior to June 3,~~
 9 ~~2004.~~

10
 11 SECTION 2. Arkansas Code § 6-11-101(e)-(g), concerning the membership
 12 of the State Board of Education, are amended to read as follows:

13 (e) The members of the state board ~~shall be appointed by the Governor,~~
 14 ~~subject to the confirmation of the Senate and:~~

15 (1) Shall be appointed as follows:

16 (A) Three (3) members shall be appointed by the
 17 Governor;

18 (B) Three (3) members shall be appointed by the
 19 President Pro Tempore of the Senate; and

20 (C) Three (3) members shall be appointed by the
 21 Speaker of the House.

22 (2) shall Shall take the oath of office for officers prescribed
 23 by the Arkansas Constitution.

24 (f)(1) Whenever a vacancy occurs in the membership of the state board,
 25 the ~~Governor~~ officer who made the original appointment shall appoint a
 26 successor who shall serve the remainder of the unexpired term of the member
 27 that he or she succeeded, subject to all other provisions of this section.

28 (2) Resignation, removal from the district from which he or she
 29 is appointed, disqualification, incapacitation from mental or physical
 30 disability or otherwise, or change in status from the eligibility
 31 requirements for membership on the state board shall automatically create a
 32 vacancy in the membership of the state board, and no such member shall
 33 thereafter exercise any of the functions of membership on the state board
 34 even though his or her successor has not been appointed.

35 (g)(1) Members of the state board shall be subject to removal from
 36 office by the ~~Governor~~ officer who made the original appointment when the

1 actions or condition of a member shall be considered as sufficient cause for
 2 removal.

3 (2) However, before a member may be removed for cause, this
 4 cause must have been accepted as true, good, and sufficient by a majority
 5 written vote of all members of the state board after a formal hearing at a
 6 regular or special session of the state board.

7
 8 SECTION 3. TEMPORARY LANGUAGE. DO NOT CODIFY. The process for
 9 initial appointments to the State Board of Education under this act is as
 10 follows:

11 (1) The Governor, the Speaker of the House of Representatives,
 12 and the President Pro Tempore of the Senate shall make the appointments
 13 required under this act within thirty (30) days of the effective date of this
 14 act;

15 (2) Each state board member currently serving shall be replaced
 16 by a newly appointed successor:

17 (A) Upon the taking of the oath by the successor; and

18 (B) In the order of length of service on the state board
 19 beginning with the member who has been serving for the least amount of time;
 20 and

21 (3) At the first regular meeting of the newly appointed state
 22 board members, each of the three members appointed by the same officer shall
 23 draw for staggered terms as follows:

24 (A) One (1) member serve an initial term of one (1) year;

25 (B) One (1) member shall serve an initial term of three
 26 (3) years; and

27 (C) One (1) member shall serve an initial term of five (5)
 28 years.