

CONSTITUTIONAL PROVISIONS PERTAINING TO UNIVERSITY OF ARKANSAS

(Either naming "University of Arkansas" or Using Language "Institutions of Higher Learning")

Arkansas Constitution, Amendment 33

Boards and Commissions Governing State Institutions

Sec. 1. Term of office of members.-- The term of office of members of the boards or commissions charged with the management or control of all charitable, penal or correctional institutions and institutions of higher learning of the State of Arkansas, now in existence or hereafter created, shall be five years when the membership is five in number, seven years when the membership is seven in number, and ten years when the membership is ten in number. Such terms of office shall be arranged by the General Assembly to provide a membership with one term of office expiring every year from the effective date of this amendment. The unexpired terms of members serving on the effective date of this amendment shall not be decreased.

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

Sec. 3. Increase or decrease of members of board or commission prohibited.-- The membership of any such board or commission now in existence shall not be increased or decreased in number after the effective date of this amendment nor shall the number of members of any such board or commission created after this amendment is in operation be increased or decreased subsequent to its creation.

Sec. 4 Removal of member--Procedure--Appeal. -- The Governor shall have the power to remove any member of such boards or commission before the expiration of his term for cause only, after notice and hearing. Such removal shall become effective only when approved in writing by a majority of the total number of the board or commission, but without the right to vote by the member removed or by his successor, which action shall be filed with the Secretary of State together with a complete record of the proceedings at the hearing.

An appeal may be taken to the Pulaski Circuit Court by the Governor or the member ordered removed, and the same shall be tried de novo on the record. An appeal may be taken from the circuit court to the Arkansas Supreme Court, which shall likewise be tried de novo.

Sec. 5. Vacancy--Filling. -- Any vacancy arising in the membership of such board or commission for any reason other than the expiration of the regular term for which the member was appointed shall be filled by appointment by the Governor, subject to approval by a majority of the remaining members of the board or commission, and to be thereafter effective until the expiration of

such regular term.

Sec. 6. Effective date. -- This amendment shall take effect and be in operation from and after January 15, 1943.

January 15, 1943