

ARKANSAS BUILDING AUTHORITY COUNCIL **BY-LAWS**

ARTICLE I: NAME AND MEMBERSHIP

Section 1. Creation

The Arkansas Building Authority Council, hereinafter referred to as the "Council", was created pursuant to Ark. Code Ann. § 22-2-101 et seq.

Section 2. Composition

The Council shall consist of eleven (11) members as follows:

- Six (6) members shall be appointed by the Governor and confirmed by the Senate, one (1) of whom shall be from each congressional district and two (2) of whom shall be representative of the state at large;
- One (1) member shall be designated by the Speaker of the House of Representatives and one (1) member shall be designated by the President Pro Tempore of the Senate, but no member so designated by the Speaker of the House of Representatives or the President Pro Tempore of the Senate shall be a member of the General Assembly
- The Secretary of State or a designee shall be a full voting member of the Council;
- One member selected by the House of Representatives who shall be a nonvoting ex officio member of the Council, and the Senate shall select one (1) member who shall be a nonvoting ex officio member of the Council. Neither the House of Representatives, nor the Senate may select an active member of the general assembly.

All appointees or designees shall serve three-year staggered terms, and all ex officio shall serve two-year terms. All members are subject to reappointment or redesignation.

The Governor shall designate one (1) of the members of the Council as "chairman", except that no ex officio member shall be so designated.

Section 3. Stipend

Members of the Council shall receive no pay for their services, but those members who are not government officials may receive expense reimbursement and stipends in accordance with § 25-16-901 et seq. Stipends shall be voted on at the first meeting of every year.

Section 4. Termination

Termination of membership shall occur when:

1. A letter of resignation is presented to the Governor, or to the appropriate designating authority and copied to the Chairman and the ABA Director; or
2. A member fails to attend meetings in accordance with Ark. Code Ann. §25-17-211 and is removed by the Governor.
3. The appointing authority terminates a member by appointing another in the member's place.

ARTICLE II: OFFICERS

Section 1. Chair and Secretary

The officers of the Council are the Chair and Secretary and any other officers deemed necessary to fulfill their responsibilities.

Section 2. Chair /Duties

The Chair is appointed by the Governor and shall preside over the Council meeting with the authority to vote. The Chair shall preside at all meetings and hearings of the Council; appoint members of committees, sign all approved minutes and when authorized, other documents on behalf of the Council; serve as ex-officio member of all committees; and fulfill any other duties assigned by the Council.

Section 3. Secretary Duties

The Secretary shall be a member of the Council and appointed by the Chair with the authority to vote. The Secretary shall perform the duties and have the powers of the Chair during the absence or disability of the Chair. The Secretary shall also have the duty to report applicable absences to the Governor with respect to Council members absenteeism.

ARTICLE III: COMMITTEES

Section 1. Special Committees

Special committees shall be created by the Council and charged with such duties as the Council deems necessary or desirable. Such committees shall include at least one Council member. Special committees shall submit a report to the Chair and shall be dissolved on such date as their particular function or task has been completed. The Chair may establish the completion date.

ARTICLE IV: MEETINGS

Section 1. Quorum

A quorum for the transaction of business shall consist of the majority of the Council voting members. The Council shall meet at least 2 times during a calendar year. Scheduling of meetings shall be made in concert with the Chair and ABA Director.

Section 2. Notice/Agenda

The mailing of a copy of the agenda to each Council member no later than one week prior to the date set for the regular meeting shall constitute notice of such meeting. The Director of State Building Services shall mail the notices. An agenda for each regular or special meeting will be prepared by the Director of State Building Services in consultation with the Chair setting forth each matter of business to be conducted at the meeting. Matters not on the agenda can be considered at the meeting when the matter of "New Business" is taken up on the agenda or by a vote of the majority of the members present.

Section 3. Rules of Procedure

Except as modified by these By-Laws, the latest edition of Roberts Rules of Order shall constitute the rules of parliamentary procedure applicable to all meetings of the Council.

Section 4. Voting

Any matter of business requiring action by the Council may be presented by oral motion. Passage of any motion shall require an affirmative vote of the majority of the Council. Other matters may be voted on by voice vote and the minutes shall reflect the motion to be "passed" or "failed."

Section 5. Open Meetings

All regular and special meetings of the Council shall be open to the public and any public notice due, shall be given as required by the Arkansas Freedom of Information Act.

Section 6. Public Records/Minutes

All minutes of the Council meetings and all resolutions and other documents on which the Council has taken action, shall be open to the public according to the Arkansas Freedom of Information Act. The Director of State Building Services or designee, shall be responsible for keeping minutes of all meetings and shall file, and preserve all minutes, papers and documents pertaining to the business and proceedings of the Council.

Section 7. Special Meetings

Special meetings may be called by the Chairman or the Secretary, or by a quorum of the Council members. Notice of such meetings shall be given as prescribed in Article IV, Section 2, unless such meeting is to be held within less than 6 days, in which case, telephone notice shall suffice. Meetings may be held by telephone conference call.

Section 8. Absence of Chair or Secretary

In the absence or disability of both the Chair and Secretary at any Council meeting or hearing, the member present with the longest continuous membership on the Council shall act as chair during such meeting.

ARTICLE V. AMENDMENTS

Section 1. Amendments

These by-laws may be amended or repealed by vote of the Council. (See Article IV, Section 4, Voting.)