

Title 13. Libraries, Archives, and Cultural Resources

Chapter VI. Division of Arkansas Heritage, Department of Arkansas Parks, Heritage, and Tourism

Subchapter A. Generally

Part 60. Bylaws of the Delta Cultural Center Policy Advisory Board

Codification Notes. This part, as it originally appeared prior to codification into the Code of Arkansas Rules, provided as follows: "Bylaws of the Delta Policy Advisory Board[,] April 18, 1990 (As Amended by Acts 453 and 1260 of 2001)".

Subpart 1. Generally

13 CAR § 60-101. Name.

The name of this board shall be the Delta Cultural Center Policy Advisory Board, herein referred to as the board.

Authority. Arkansas Code § 13-5-703.

13 CAR § 60-102. Purpose.

(a) The purpose of the Delta Cultural Center Policy Advisory Board is to advise the center director and staff on the development of permanent and temporary exhibits which comprise the interpretive focus of the Delta Cultural Center.

(b) This board will also guide the educational programming and research targets while monitoring the phased development of the project.

Authority. Arkansas Code § 13-5-703.

13 CAR § 60-103. Public information.

(a) All action taken by the Delta Cultural Center Policy Advisory Board and all procedures will conform to the Arkansas Administrative Procedure Act, Arkansas Code §

25-15-201 et seq. and the Arkansas Freedom of Information Act, Arkansas Code § 25-19-101 et seq.

(b) Each regular meeting of the board will include an agenda item for the purpose of public comment.

(c)(1) Information on the board will be provided to interested persons.

(2) The information will include:

(A) A description of the board's organization, stating the general course and method of its operations; and

(B) The methods by which the public may obtain information or make submissions or requests.

(3) Interested persons may receive information by contacting the administrative offices at 141 Cherry Street, Helena, Arkansas 72342.

Authority. Arkansas Code § 13-5-703.

13 CAR § 60-104. Members.

(a) Members.

(1) The Delta Cultural Center Policy Advisory Board shall consist of eleven (11) voting members specified in Acts 1989, No. 109, as amended by Acts 2001, No. 1260.

(2)(A) The board shall consist of eleven (11) members.

(B) The members shall be appointed by the Governor.

(C) The members appointed by the Governor shall be subject to confirmation by the Senate.

(D) The Governor shall make his or her appointments in such a manner that each race or ethnic group having a significant presence in the Delta region shall be adequately represented on the board.

(E) The chair will be elected by members for a one-year term.

(3)(A) The board shall meet at least quarterly.

(B) Special meetings may be called by the chair or a majority of the board.

(4) The board members to be appointed by the Governor shall be:

(A) Two (2) residents of Phillips County who have exhibited an interest in the culture and heritage of the Delta;

(B) A Delta blues musician;

(C) Two (2) members to serve as academic advisors who shall be training in the field of Delta folklore, history, or a related field;

(D) A member of the board of the Arkansas Endowment for the Humanities;

(E) Three (3) members at large; and

(F) Two (2) members as representatives of Main Street Helena.

(5) Any vacancy in the membership of the board other than by expiration of the term of office shall be filled by the Governor for the balance of the term of membership which became vacant.

(6) The members of the board shall receive no compensation for their services, but they shall be eligible for reimbursement for actual and necessary expenses incurred in the performance of their duties.

(b) Terms of members.

(1) The members of the board appointed by the Governor shall serve for three-year terms except that in making the initial appointments to the board, the Governor shall designate three (3) members to serve one-year terms, three (3) members to serve two-year terms, and three (3) members to serve three-year terms.

(2)(A) No member of the board shall be eligible for appointment to more than two (2) consecutive full terms.

(B) However, initial appointees to the board who are appointed for less than a three-year term may be eligible for appointment to two (2) full terms.

(c) Payment for members. Members of the board shall serve without pay.

(d) Attendance.

(1) Any member appointed by the Governor to serve as a board member who shall be absent from three (3) successive regular meetings, amended by Acts 2001, No. 453, without attending any intermediary called special meetings.

(2) Any board member who shall be absent from three (3) successive regular meetings, for any reason other than illness of such member, verified by a written sworn statement by his or her attending physician and entered in the minutes of the board, shall thereby forfeit and vacate his or her membership on the board and such forfeiture and vacancy shall be forthwith certified to the Governor, pursuant to Arkansas Code § 25-17-211.

(e) Code of ethics.

(1) All members of the board shall comply with the code of ethics law, Arkansas Code §§ 21-8-301 – 21-8-309, or any successor act thereto.

(2) No board member shall use his or her position to secure special privileges or exemptions for himself or herself, or his or her spouse, child, parents, or other persons standing in the first degree of relationships, or for those with whom he or she has a substantial financial relationship, that are not available to others, except as may otherwise be provided by law, pursuant to the code of ethics law, Arkansas Code §§ 21-8-301 – 21-8-309, or any successor act thereto.

(3) No board member shall accept employment or engage in any public or professional activity while serving as a public official which he or she might reasonably expect would require or induce him or her to disclose any information acquired by the member by reason of his or her official position which is declared by law or regulation to be confidential, nor shall any member disclose any such information gained by reason of his or her position, nor shall the member otherwise use such information for his or her personal gain or benefit.

(4) Members shall state any personal or financial past/current or anticipated interest concerning the item to be discussed and then may participate in that discussion.

(5) Members shall abstain from any official action taken by the board concerning any item in which he or she has a conflict of interest, except in instances in which a board member is representing the department, agency, commission, office, or group he or she is designated by legislation to represent on the board.

Authority. Arkansas Code § 13-5-703.

13 CAR § 60-105. Officers.

(a) Officers.

(1) The officers of the Delta Cultural Center Policy Advisory Board shall be a:

(A) Chair;

(B) Vice-chair; and

(C) Secretary.

(2) These officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the board.

(3)(A) All officers shall be elected by ballot by the voting members of the board.

(B) Ballot shall be dispensed with by a unanimous vote when there is but one (1) candidate for office.

(b) Chair.

(1) The chair of the board shall be chosen by the members of the board.

(2) The chair shall preside at all meetings.

(c) Vice-chair.

(1) The vice-chair of the board shall be chosen by the members of the board.

(2) The vice-chair shall preside in the absence of the chair.

(d) Duties of officers.

(1) The officers shall:

(A) Have general supervision of the affairs of the board between its regular meetings;

(B) Fix the hour, place, and agendas of meetings; and

(C) Make recommendations to the board.

(2) The officers shall be subject to the orders of the board, and none of their acts shall conflict with action taken by the board.

(e) Meetings of the officers. Meetings of the officers may be called by the chair and shall be called upon the written request of two (2) of the officers.

(f) Terms of office.

(1) The officers shall be elected by ballot to serve for one (1) year or until their successors are elected.

(2) No officer shall be eligible to serve more than two (2) consecutive terms in the same office.

(3)(A) If there is a vacancy in the chairship, the vice-chair shall become chair for the remainder of the term.

(B) If the vice-chairship becomes vacant, a new vice-chair shall be elected by the board's members.

Authority. Arkansas Code § 13-5-703.

13 CAR § 60-106. Meetings.

(a) Regular meetings.

(1) The Delta Cultural Center Policy Advisory Board shall meet in regular session at least once during each quarterly period and shall meet in special session as often as its business may require, pursuant to Arkansas Code § 25-17-208.

(2) All meetings shall be open to the public except as noted in Arkansas Code § 25-17-208.

(b) Special called meetings.

(1) The board shall meet on call of the chair or upon written request of four (4) or more members.

(2) The purpose of the meeting shall be stated in the call.

(3) Action taken by the board at a special called meeting will be limited to the purpose of the meeting.

(4) Reasonable notice of special called meetings will be given to each board member.

(c) Notice of meetings and agendas.

(1) Each board member and each person who shall have requested notice shall receive a written agenda of upcoming regular meetings, not later than two (2) weeks prior to the meeting date.

(2)(A) Action may be taken by the board only on items included on the agenda.

(B) Changes to a meeting's agenda may be made by a two-thirds (2/3) vote of the members.

(d) Quorum and action taken.

(1) Six (6) members of the board shall constitute a quorum.

(2) All action taken by the board shall be by affirmative vote of a majority of eleven (11) members of the board.

(e) Committee meetings.

(1) Committee meetings may be called by the respective chair of each committee.

(2) Decisions may be made by a majority vote of the committee.

(3) Committee meetings will follow the Arkansas Freedom of Information Act, Arkansas Code § 25-19-101 et seq.

Authority. Arkansas Code § 13-5-703.

13 CAR § 60-107. Committees.

(a) The chair shall appoint committee members for standing or special committees as the Delta Cultural Center Policy Advisory Board or officers shall from time to time deem necessary to carry on the work of the board.

(b) The chair shall be an ex-officio member of all committees, except a nominating committee for board officers.

Authority. Arkansas Code § 13-5-703.

13 CAR § 60-108. Parliamentary authority.

The rules contained in the most recently published edition of Robert's Rules of Order Newly Revised shall govern the Council in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Delta Cultural Center Policy Advisory Board may adopt.

Authority. Arkansas Code § 13-5-703.

13 CAR § 60-109. Amendment of bylaws.

(a) These bylaws may be amended at any regular meeting of the Delta Cultural Center Policy Advisory Board by a two-thirds (2/3), seven (7) votes, vote from the members, provided that the amendment has been submitted in writing at the previous regular meeting.

(b) The board will follow the procedures specified in the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq. for the adoption of amended bylaws.

Authority. Arkansas Code § 13-5-703.

13 CAR § 60-110. Fiscal procedures.

(a) **Fiscal year.** The Delta Cultural Center Policy Advisory Board will operate on the State of Arkansas's fiscal year.

(b) **Budget.** All expenditures for meetings, travel, and printing will be in accordance with the State General Accounting and Budgetary Procedures Law, Arkansas Code § 19-4-101 et seq.

(c) **Compliance with other laws.**

(1) The restrictions of the fiscal control laws of the State of Arkansas, where applicable, and rules promulgated by the Department of Finance and Administration as authorized by law, shall be strictly complied with in disbursement of funds.

(2) Contracts for any professional or consultant services shall be subject to state contract restrictions.

(d) **Auditing.** The financial operations of the Delta Cultural Center Policy Advisory Board shall be subject to audition by Arkansas Legislative Audit staff.

Authority. Arkansas Code § 13-5-703.