



STEVE CLARK
ATTORNEY GENERAL

STATE OF ARKANSAS
OFFICE OF THE ATTORNEY GENERAL
JUSTICE BUILDING, LITTLE ROCK 72201

February 3, 1986

(501) 371-2007

OPINION NO. 86-29

The Honorable Lloyd McCuiston, Jr.
State Representative
P.O. Box 1489
West Memphis, AR 72301

Dear Representative McCuiston:

This official opinion is written in response to your request concerning who has authority to appoint the librarian of West Memphis, Arkansas.

Act 795 of 1981, Section One states:

Unless otherwise provided by State law,
Mayors of cities of the first class...
shall have the power to appoint and
remove all department heads...(Emphasis
added).

In this case, state law does provide otherwise in Ark. Stat. Ann. §19-3205(Repl. 1980) which grants the Board of Trustees for a city public library (as appointed by the Mayor) authority to "appoint a librarian qualified by education training, experience and personality who shall serve at the will of the board.

Therefore, it is my opinion that the librarian of West Memphis should be appointed by that City's Library Board of Trustees.

The foregoing opinion, which I hereby approve, was prepared by Special Counsel to the Attorney General R.B. Friedlander.

Sincerely,


STEVE CLARK
Attorney General

SC/RBF/mo