

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/5/03

A Bill

Act 452 of 2003
HOUSE BILL 1786

5 By: Representatives Cleveland, Jacobs, L. Prater, Verkamp, Lamoureux, Gillespie
6 By: Senators Whitaker, Trusty, Salmon
7

For An Act To Be Entitled

10 AN ACT TO MERGE ARKANSAS VALLEY TECHNICAL
11 INSTITUTE INTO ARKANSAS TECH UNIVERSITY; AND FOR
12 OTHER PURPOSES.
13

Subtitle

14 AN ACT TO MERGE ARKANSAS VALLEY
15 TECHNICAL INSTITUTE INTO ARKANSAS TECH
16 UNIVERSITY.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Name change and merger.

23 (a) Effective July 1, 2003, Arkansas Valley Technical Institute is
24 merged with and into Arkansas Tech University and shall be governed by the
25 Board of Trustees of Arkansas Tech University.

26 (b) Effective July 1, 2003, all powers, duties, responsibility,
27 control, and supervision authority heretofore vested in the Board of
28 Directors of Arkansas Valley Technical Institute is transferred to the Board
29 of Trustees of Arkansas Tech University, and upon transfer of the assets,
30 books of accounts, and files of the Board of Directors of Arkansas Valley
31 Technical Institute to the Board of Trustees of Arkansas Tech University, the
32 Board of Directors of Arkansas Valley Technical Institute shall be divested
33 of all obligations and duties.

34 (c) Effective July 1, 2003, Arkansas Valley Technical Institute campus
35 shall be known as Arkansas Valley Technical Institute of Arkansas Tech
36 University.

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2 SECTION 2. Transfer of assets, obligations, records, personnel,
3 property, unexpended balances, and all legal authority.

4 (a) On July 1, 2003, all property and other rights, claims, and assets
5 of the Arkansas Valley Technical Institute are transferred to Arkansas Tech
6 University.

7 (b) On July 1, 2003, all obligations of the Arkansas Valley Technical
8 Institute become obligations of Arkansas Tech University.

9 (c) On July 1, 2003, all records, personnel, property, unexpended
10 balances, and all legal authority transfer from the Arkansas Valley Technical
11 Institute to Arkansas Tech University.

12 (d) All cash fund balances of Arkansas Valley Technical Institute
13 transferred to Arkansas Tech University shall be used for the operation,
14 support, and improvement of occupational, vocational, technical, and
15 workforce development programs of Arkansas Tech University.

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17 SECTION 3. (a)(1) Employees of Arkansas Valley Technical Institute as
18 of June 30, 2003 who are eligible for payment of accrued sick leave upon
19 retirement or death under Arkansas Code § 21-4-501 shall retain that benefit.

20 (2) This benefit shall be paid upon the employees retirement or
21 death from the funds restricted to expenditures in support of Arkansas Valley
22 Technical Institute - Ozark.

23 (3) Individuals employed after June 30, 2003 shall not be
24 entitled to receive compensation under Arkansas Code § 21-4-501.

25 (b)(1) Employees of Arkansas Valley Technical Institute as of
26 June 30, 2003 who are enrolled in the alternative retirement plan and are
27 receiving a twelve percent (12%) retirement match shall retain the benefit.

28 (2) Individuals employed after June 30, 2003, shall not be
29 entitled to enroll in the alternative retirement program.

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31 SECTION 5. Funding from the Workforce 2000 Development Fund shall be
32 provided to Arkansas Tech University to fund workforce development,
33 vocational, occupational, and training programs offered by the Arkansas
34 Valley Technical Institute of Arkansas Tech University.

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36 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the

1 General Assembly of the State of Arkansas that it would benefit both Arkansas
2 Valley Technical Institute and Arkansas Tech University to merge into one
3 institution; that the merger of Arkansas Valley Technical Institute into
4 Arkansas Tech University should occur at the beginning of the next fiscal
5 year; that substantial work must be done before the merger; and that this act
6 must become effective immediately in order for the preparatory work for the
7 merger to be completed. Therefore, an emergency is declared to exist and this
8 act being immediately necessary for the preservation of the public peace,
9 health, and safety shall become effective on:

10 (1) The date of its approval by the Governor;

11 (2) If the bill is neither approved nor vetoed by the Governor,
12 the expiration of the period of time during which the Governor may veto the
13 bill; or

14 (3) If the bill is vetoed by the Governor and the veto is
15 overridden, the date the last house overrides the veto.

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17 */s/ Cleveland, et al*

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20 *APPROVED: 03/17/2003*