

**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.
Act 1010 of the Regular Session**

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

HOUSE BILL 2443

5 By: Representatives Reep, Bolin, Maxwell, Rankin
6 By: Senator J. Jeffress
7

For An Act To Be Entitled

AN ACT TO AMEND THE LAW PERTAINING TO THE
ARKANSAS HEAVY EQUIPMENT OPERATOR TRAINING
ACADEMY; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO AMEND THE LAW PERTAINING TO
THE ARKANSAS HEAVY EQUIPMENT OPERATOR
TRAINING ACADEMY.

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Arkansas Code §§ 6-61-531 through 6-61-533 are amended to
23 read as follows:

24 6-61-531. Arkansas Heavy Equipment Operator Training Academy –
25 Establishment.

26 (a)(1) The Arkansas Heavy Equipment Operator Training Academy is
27 established as a satellite center of ~~South Arkansas Community College~~ the
28 University of Arkansas at Monticello.

29 (2) The academy shall be the Arkansas single-source academy
30 offering statewide services and satellite training for the operation of heavy
31 equipment.

32 (3) The permanent headquarters of the academy shall be located
33 in Warren.

34 (4) The academy may operate programs in cooperation with the
35 University of Arkansas at Monticello Colleges of Technology located in



1 Crossett, Arkansas, and McGehee, Arkansas.

2
3 6-61-532. Arkansas Heavy Equipment Operator Training Academy -
4 Operation.

5 (a)(1)(A) The Director of the Arkansas Heavy Equipment Operator
6 Training Academy shall follow hiring procedures ~~approved by the President of~~
7 ~~South Arkansas Community College~~ consistent with the policies of the
8 University of Arkansas at Monticello in recommending academy personnel for
9 hire.

10 (B) The ~~president~~ Chancellor of the University of Arkansas
11 at Monticello shall exercise final approval over the hiring of academy
12 personnel.

13 (2) Persons employed by the academy as of July 1, 2003, shall be
14 retained unless they fail to fulfill their assigned duties or unless lack of
15 enrollment in or funding of the academy necessitates staff reduction.

16 (3) The salaries of persons who are employed by the academy as
17 of July 1, 2003, shall not be reduced as a result of this section §§ 6-61-531
18 and 6-61-533.

19 (4) Persons who are nonclassified employees and faculty of the
20 academy as of July 1, 2003, will remain under the academy's pay schedule.

21 (5) Persons employed by the academy as of July 1, 2003, may join
22 the ~~South Arkansas Community College's~~ University of Arkansas at Monticello's
23 Fringe Benefits Package, which includes the Arkansas Teacher Retirement
24 System.

25 (6) ~~South Arkansas Community College~~ The University of Arkansas
26 at Monticello will accept any leave balances for academy personnel that have
27 accrued as of July 1, 2003, if the leave balance does not exceed the maximum
28 leave allowed under Arkansas law.

29 (b) The Director of the Arkansas Heavy Equipment Operator Training
30 Academy will report directly to the ~~president~~ Chancellor of the University of
31 Arkansas at Monticello regarding the operation of the academy.

32 (c) The ~~academy~~ University of Arkansas at Monticello shall continue to
33 offer the technical certificates ~~and diplomas~~ previously approved by the
34 Arkansas Higher Education Coordinating Board for the training of heavy
35 equipment operators.

36 (d) The Arkansas Heavy Equipment Operator Training Academy Advisory

1 Committee shall continue to make recommendations regarding the operation of
 2 the academy and its curriculum.

3
 4 6-61-533. Arkansas Heavy Equipment Operator Training Academy -
 5 Funding.

6 (a)(1) All legislatively appropriated funds, tuitions, grant moneys,
 7 and donations designated for the Arkansas Heavy Equipment Operator Training
 8 Academy shall be specifically used for the operation of the academy.

9 (2) All moneys appropriated or designated for the academy shall
 10 be maintained:

11 (A) In accounts separate from accounts for ~~South Arkansas~~
 12 ~~Community College~~ the University of Arkansas at Monticello;

13 (B) In Bradley County financial institutions whenever
 14 possible; and

15 (C) Following state accounting procedures and guidelines.

16 (3) The Director of the Arkansas Heavy Equipment Operator
 17 Training Academy will develop, recommend, and monitor the academy's annual
 18 budget.

19 (4) The chief fiscal officer of the ~~South Arkansas Community~~
 20 ~~College~~ University of Arkansas at Monticello or his or her designee shall
 21 regularly monitor academy books, banking records, accounts, and expenditures.

22 (b)(1) The academy shall remain under the supervision of the director,
 23 who shall be assisted by the academy coordinator.

24 (2) The Director of the Southeast Arkansas Community-Based
 25 Education Center ~~may~~ shall serve as the director of the academy.

26
 27 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
 28 General Assembly of the State of Arkansas that the failure of the Arkansas
 29 Heavy Equipment Operator Training Academy as a single-source academy under
 30 the University of Arkansas at Monticello could result in the academy's
 31 inability to finish training its currently enrolled students; that the
 32 changes in this act are essential to the continued efficient operation of the
 33 academy. Therefore, an emergency is declared to exist and this act being
 34 immediately necessary for the preservation of the public peace, health, and
 35 safety shall become effective on:

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

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

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

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8 **APPROVED: 3/18/2005**
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