

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

A Bill

Act 683 of 2003
HOUSE BILL 2778

5 By: Representative Dees
6 By: Senator J. Jeffress
7

For An Act To Be Entitled

10 AN ACT TO ESTABLISH THE ARKANSAS HEAVY EQUIPMENT
11 OPERATOR TRAINING ACADEMY AS A SATELLITE CENTER
12 IN WARREN, ARKANSAS, OF THE SOUTH ARKANSAS
13 COMMUNITY COLLEGE; AND FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT TO ESTABLISH THE ARKANSAS HEAVY
16 EQUIPMENT OPERATOR TRAINING ACADEMY AS A
17 SATELLITE CENTER IN WARREN, ARKANSAS, OF
18 THE SOUTH ARKANSAS COMMUNITY COLLEGE.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Establishment of the Arkansas Heavy Equipment Operator
25 Training Academy.

26 (a)(1) The Arkansas Heavy Equipment Operator Training Academy is
27 established as a satellite center of South Arkansas Community College.

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

31 (3) The permanent headquarters of the Arkansas Heavy Equipment
32 Operator Training Academy shall be located in Warren, Arkansas.
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34 SECTION 2. Operation of the Arkansas Heavy Equipment Operator Training
35 Academy.

36 (a)(1)(A) The Arkansas Heavy Equipment Operator Training Academy



1 Director shall follow hiring procedures approved by the South Arkansas
2 Community College President in recommending academy personnel for hire.

3 (B) The South Arkansas Community College President shall
4 exercise final approval over the hiring of academy personnel.

5 (2) Persons employed by the academy as of the date this act
6 becomes effective shall be retained unless they fail to fulfill their
7 assigned duties or lack of enrollment in or funding of the academy
8 necessitates staff reduction.

9 (3) The salaries of persons who are employed by the academy as
10 of the date this act becomes effective shall not be reduced as a result of
11 this act.

12 (4) Persons who are nonclassified employees and faculty of the
13 academy as of the date this act becomes effective will remain under the
14 academy's pay schedule.

15 (5) Persons employed by the academy as of the date this act
16 becomes effective may join the South Arkansas Community College's Fringe
17 Benefits Package, which includes the Arkansas Teacher Retirement Plan.

18 (6) South Arkansas Community College will accept any leave
19 balances for academy personnel that have accrued as of the date this act
20 becomes effective, if the leave balance does not exceed the maximum leave
21 allowed under Arkansas law.

22 (b) The academy director will report directly to the South Arkansas
23 Community College President regarding the operation of the academy.

24 (c) The academy shall continue to offer certificates and diplomas for
25 the training of heavy equipment operators.

26 (d) The Arkansas Heavy Equipment Operator Training Academy Advisory
27 Committee shall continue to make recommendations regarding the operation of
28 the academy and its curriculum.

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30 SECTION 3. Funding.

31 (a)(1) All legislatively appropriated funds, tuitions, grant moneys,
32 and donations designated for the academy shall be specifically used for the
33 operation of the academy.

34 (2) All moneys appropriated or designated for the academy shall
35 be maintained:

36 (A) In accounts separate from accounts for South Arkansas

1 Community College;

2 (B) In Bradley County financial institutions, whenever
3 possible; and

4 (C) Following state accounting procedures and guidelines.

5 (3) The director of the academy will develop, recommend, and
6 monitor the academy's annual budget.

7 (4) The chief fiscal officer of the South Arkansas Community
8 College, or his or her designee, shall regularly monitor academy books,
9 banking records, accounts, and expenditures.

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

12 (2) The Southeast Arkansas Community Based Education Center
13 Director may serve as the director of the academy.

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15 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
16 General Assembly of the State of Arkansas that the failure to establish the
17 Arkansas Heavy Equipment Operator Training Academy as a single-source academy
18 under the South Arkansas Community College will result in the expiration of
19 the academy's training program and in the academy's inability to finish
20 training its currently enrolled students; that the Arkansas Constitution
21 prohibits the appropriation of funds for more than a two (2) year period;
22 that it is essential to the operation of the academy that this become
23 effective on July 1, 2003; and that in the event of an extension of the
24 Regular Session, a delay in the effective date of this act beyond July 1,
25 2003, could work irreparable harm upon the proper administration and
26 provision of essential governmental programs. Therefore, an emergency is
27 hereby declared to exist and this act being necessary for the preservation of
28 the public peace, health, and safety shall become effective on July 1, 2003.

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31 APPROVED: 3/26/2003
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