

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Senator Bell**

A Bill

ACT 388 OF 1995
SENATE BILL 245

For An Act To Be Entitled

8 "AN ACT TO CREATE INCENTIVES FOR THE EFFICIENT MANAGEMENT
9 OF ARKANSAS PUBLIC COLLEGES AND UNIVERSITIES; AND FOR
10 OTHER PURPOSES."

Subtitle

13 "TO ESTABLISH INCENTIVES FOR THE
14 ADMINISTRATIVE CONSOLIDATION OF PUBLIC
15 COLLEGES AND UNIVERSITIES"

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

19 SECTION 1. The purpose of this act is to create incentives for more
20 efficient management of the public higher education resources of the State of
21 Arkansas by allowing public higher education institutions and their boards of
22 trustees to merge or consolidate on a voluntary basis and to consolidate
23 administrative functions by transferring them to another institution.

25 SECTION 2. A fund account is hereby established called the Higher
26 Education Consolidation Matching Fund. Monies deposited in this account shall
27 be made available to match documented savings at public institutions of higher
28 education that consolidate or merge. The amount of matching funds to be made
29 available from the Higher Education Consolidation Matching Fund shall be
30 determined by the State Board of Higher Education. Upon review and approval
31 of the Chief Fiscal Officer of the State, the funds shall be transferred to
32 the newly constituted or merged institution from the Higher Education
33 Consolidation Matching Fund.

35 SECTION 3. Consolidations and Mergers. The institutional
36 consolidations and mergers eligible for matching funds under the terms of this

1 act include two or more public universities; two or more public two-year
2 colleges; community colleges and technical institutes located in the same city
3 or the same county; new systems of public higher education institutions
4 composed of two- and four-year institutions under the control of a single
5 board of trustees; existing systems of public higher education institutions
6 that add two and/or four-year institutions to the system; and administrative
7 function consolidation with similar services or operations at another
8 institution.

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10 SECTION 4. Consolidations or mergers involving community colleges shall
11 be subject to the provisions of Arkansas Code Annotated § 6-61-519, where
12 applicable, when the result of a consolidation or a merger requires
13 dissolution of the community college district. Any agreements made by
14 community colleges with other public colleges or universities to consolidate
15 or merge are declared to be consistent with the provisions of Arkansas Code
16 Annotated § 6-61-524, which permits the sharing of facilities, personnel, and
17 services by community colleges.

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19 SECTION 5. Rules and Regulations. The State Board of Higher Education
20 is authorized, in consultation with the public colleges and universities, to
21 develop policies, rules, and regulations to implement the provisions of this
22 act.

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24 SECTION 6. All provisions of this act of a general and permanent nature
25 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
26 Revision Commission shall incorporate the same in the Code.

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28 SECTION 7. If any provision of this act or the application thereof to
29 any person or circumstance is held invalid, such invalidity shall not affect
30 other provisions or applications of the act which can be given effect without
31 the invalid provision or application, and to this end the provisions of this
32 act are declared to be severable.

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34 SECTION 8. All laws and parts of laws in conflict with this act are
35 hereby repealed.

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APPROVED: 2-20-95

