

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 678 of 2003
HOUSE BILL 1865

5 By: Representative R. Smith
6 By: Senator T. Smith
7

For An Act To Be Entitled

10 AN ACT TO RENAME GARLAND COUNTY COMMUNITY COLLEGE
11 AS NATIONAL PARK COMMUNITY COLLEGE; TO MERGE
12 QUAPAW TECHNICAL INSTITUTE INTO NATIONAL PARK
13 COMMUNITY COLLEGE; AND FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT TO RENAME GARLAND COUNTY
16 COMMUNITY COLLEGE AS NATIONAL PARK
17 COMMUNITY COLLEGE; AND TO MERGE QUAPAW
18 TECHNICAL INSTITUTE INTO NATIONAL PARK
19 COMMUNITY COLLEGE.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. Definitions.

As used in this act:

27 (1) "Adult education program" means any classes designed to assist
28 students in preparing for the general education development test, any class
29 designed to improve performance in general basic skills, parenting, English
30 proficiency, or other areas funded by the Adult Education section of the
31 Department of Workforce Education; and

32 (2) "Applied general education courses" means courses from
33 mathematics, communications, social sciences, and similar fields specifically
34 addressing the employment needs of students in one (1) or more occupational
35 programs.
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SECTION 2. Name change and merger.

(a) Effective July 1, 2003, Garland County Community College is renamed National Park Community College and the Garland County Community College District is renamed The National Park Community College District.

(b) Effective July 1, 2003, Quapaw Technical Institute is merged with and into National Park Community College.

(c) National Park Community College is an institution of higher education, and is subject to the laws governing community colleges, except as otherwise provided in this act.

SECTION 3. Board of Trustees.

(a)(1) The board member of Quapaw Technical Institute serving on June 30, 2003, and whose term is to expire in 2003, shall become a member of the board of trustees of National Park Community College on July 1, 2003, and the term of the board member shall expire on December 31, 2004.

(2) The board members of the Quapaw Technical Institute serving on June 30, 2003, and whose terms are to expire in 2004 and 2005, shall become members of the board of trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2006.

(3) The board members of Quapaw Technical Institute serving on June 30, 2003, and whose terms are to expire in 2006 and 2007, shall become members of the board of trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2008.

(b)(1) The trustees of the Garland County Community College serving on June 30, 2003, and whose terms expire on December 31, 2004, shall become members of the board of trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2004.

(2) The trustees of the Garland County Community College serving on June 30, 2003, and whose terms expire on December 31, 2006, shall become members of the board of trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2006.

(3) The trustees of the Garland County Community College serving on June 30, 2003, and whose terms expire on December 31, 2008, shall become members of the board of trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2008.

(c)(1) Three (3) trustees of National Park Community College shall be

1 electd at the 2004 general election in the same manner and for the same
 2 terms as prescribed in Arkansas Code § 6-61-520.

3 (2) Three (3) trustees of National Park Community College shall
 4 be elected at the 2006 general election in the same manner and for the same
 5 terms as prescribed in Arkansas Code § 6-61-520.

6 (3) Three (3) trustees of National Park Community College shall
 7 be elected at the 2008 general election in the same manner and for the same
 8 terms as prescribed in Arkansas Code § 6-61-520.

9 (d)(1) No vacancy on the Board of Trustees of National Park Community
 10 College shall be filled until the number of remaining board members of
 11 National Park Community College with terms expiring on the same date equals
 12 two (2) or less.

13 (2) A vacancy on the board of Quapaw Technical Institute or on
 14 the Board of Trustees of Garland County Community College occurring before
 15 July 1, 2003 shall not be filled unless it would cause the Board of Trustees
 16 of National Park Community College to have fewer than three (3) trustees
 17 whose terms expire in the year 2004, 2006, or 2008.

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 19 SECTION 4. Effect of merger on employees.

20 (a)(1) All permanent nonprobationary employees of Quapaw Technical
 21 Institute or Garland County Community College on June 30, 2003, shall become
 22 employees of National Park Community College on July 1, 2003.

23 (2) A person who was a permanent nonprobationary employee of
 24 Quapaw Technical Institute or Garland County Community College on June 30,
 25 2003, shall be employed by National Park Community College at least until
 26 July 1, 2008, if:

27 (A) Job performance is satisfactory;

28 (B) Student enrollment in programs is satisfactory; and

29 (C) Student job placements are satisfactory.

30 (b)(1)(A) By January 31, 2004, employees who were employed on June 30,
 31 2003, by Garland County Community College or Quapaw Technical Institute shall
 32 have the right to make a one-time choice between:

33 (i) The National Park Community College health
 34 insurance plan, which was formerly known as Garland County Community College
 35 health insurance plan; or

36 (ii) The health insurance plan adopted by the State

1 and Public School Life and Health Insurance Board for state employees.

2 (B) An employee who was employed by Quapaw Technical
3 Institute on June 30, 2003, shall be entitled to remain in his or her same
4 retirement system under the same conditions then provided by law or as may
5 later be provided by law.

6 (2) The Board of Trustees of National Park Community College
7 shall promulgate rules and regulations establishing the procedure for
8 employees to exercise benefit options under this subsection (b).

9 (c)(1) Until the later of July 1, 2008, or the date a reorganization
10 that guarantees the importance and position of technical education is adopted
11 by the board of trustees of National Park Community College, the President of
12 the Quapaw Technical Institute as of June 30, 2003, shall be the Vice
13 President for Technical Education at National Park Community College.

14 (2) The employee who was the President of the Quapaw Technical
15 Institute as of June 30, 2003, shall retain and continue to receive:

16 (A) All options, rights, and benefits of employment
17 granted in subsection (b) of this section; and

18 (B) Any transportation benefits that accompanied the
19 position of President of the Quapaw Technical Institute.

20 (d) An employee who was a member of the faculty of Quapaw Technical
21 Institute on June 30, 2003, shall be deemed qualified to teach in the same
22 level programs at National Park Community College if:

23 (1) The faculty member's job performance is satisfactory;

24 (2) Student enrollment is satisfactory; and

25 (3) Student job placements are satisfactory.

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27 SECTION 5. Sick leave.

28 The employees of National Park Community College shall be entitled to
29 lump sum payment for unused sick leave under a program similar to that
30 authorized by Arkansas Code §§ 21-4-501 and 21-4-502.

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32 SECTION 6. Catastrophic leave program.

33 National Park Community College shall establish a catastrophic leave
34 program for all permanent employees. The program shall be similar to that
35 authorized under Arkansas Code § 21-4-214.

SECTION 7. Effect of merger on curriculum.

(a)(1) National Park Community College shall offer the option of:

(A) Applied general education courses in occupational certificate and associate degree programs now offered by Quapaw Technical Institute; and

(B) Where appropriate to the program involved, programs now offered by Garland County Community College.

(2) Students in the programs involved may also be offered the options of college transfer general education courses in addition to the option of applied general education courses.

(b) Without regard to the higher average cost of occupational programs, all current Quapaw Technical Institute programs shall continue to be offered by National Park Community College for as long as they meet industry needs and are fiscally effective.

(c) All adult basic education, general educational development tests, and high school programs currently provided by Quapaw Technical Institute or the Garland County Community College shall continue at National Park Community College.

(d) Existing certificate and degree programs now offered at Quapaw Technical Institute or Garland County Community College shall continue to be authorized for National Park Community College until the Arkansas Higher Education Coordinating Board determines that the programs do not meet minimum standards of quality and costeffectiveness.

SECTION 8. Purchasing.

(a) Purchases by National Park Community College shall continue to be made under procedures which were applicable to Garland County Community College or may be made under procedures that were applicable to Quapaw Technical Institute.

(b) Flexibility in shop purchases, parts, and house construction programs shall continue in the same manner as authorized for the original institutions.

SECTION 9. Transfer of assets, obligations, records, personnel, property, unexpended balances, and all legal authority.

(a) On July 1, 2003, all property and other rights, claims, and assets

1 of the Quapaw Technical Institute are transferred to National Park Community
 2 College.

3 (b) On July 1, 2003, all obligations of the Quapaw Technical Institute
 4 become obligations of National Park Community College.

5 (c) On July 1, 2003, all records, personnel, property, unexpended
 6 balances of appropriations and funds, and all legal authority will transfer
 7 from the Quapaw Technical Institute to National Park Community College.

8 (d) All cash fund balances of Quapaw Technical Institute transferred
 9 to National Park Community College shall be used for the operation, support,
 10 and improvement of occupational, vocational, technical, and workforce
 11 development programs of National Park Community College.

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 13 SECTION 10. Workforce 2000 funding.

14 Funding from the Workforce 2000 Development Fund which would have been
 15 provided to Quapaw Technical Institute shall be provided to National Park
 16 Community College to fund workforce development, vocational, occupational,
 17 and training programs offered by National Park Community College.

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 19 Section 11. Funding for salary equity.

20 In that funding for and achievement of salary equity among employees of
 21 National Park Community College is essential for the successful merger of
 22 Quapaw Technical Institute into National Park Community College, this act
 23 shall become void if the board of either Garland County Community College or
 24 Quapaw Technical Institute, prior to May 1, 2003, determines that funds are
 25 not available to achieve salary equity.

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 27 SECTION 12. Conversion of positions and maximum salaries for Quapaw
 28 Technical Institute.

29 The maximum salaries as authorized for the positions in the
 30 appropriation act for Quapaw Technical Institute shall be converted to the
 31 maximum salaries for the equivalent or similar positions as authorized in the
 32 appropriation act for Garland County Community College. The conversion of
 33 the maximum salaries shall be approved by the Department of Higher Education
 34 for line item salaries or by the Department of Finance and Administration for
 35 classified salaries, and be reported to the Legislative Council.

1 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the
2 General Assembly of the State of Arkansas that Garland County Community
3 College should be renamed as National Park Community College; that it would
4 benefit both Quapaw Technical Institute and National Park Community College
5 to merge into one institution; that the merger of Quapaw Technical Institute
6 into National Park Community College should occur at the beginning of the
7 next fiscal year; that substantial work must be done before the merger; and
8 that this act is immediately necessary in order for the preparatory work for
9 the merger to be completed. Therefore, an emergency is declared to exist and
10 this act being immediately necessary for the preservation of the public
11 peace, health, and safety shall become effective on:

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

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

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

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20 **APPROVED: 3/26/2003**