

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 830 of 2003
HOUSE BILL 2195

5 By: Representatives Childers, Biggs, Goss
6 By: Senators Bryles, T. Smith, Wooldridge
7

For An Act To Be Entitled

10 AN ACT TO MERGE COTTON BOLL TECHNICAL INSTITUTE
11 INTO MISSISSIPPI COUNTY COMMUNITY COLLEGE; TO
12 RENAME MISSISSIPPI COUNTY COMMUNITY COLLEGE TO
13 ARKANSAS NORTHEASTERN COLLEGE; AND FOR OTHER
14 PURPOSES.

Subtitle

16 AN ACT TO MERGE COTTON BOLL TECHNICAL
17 INSTITUTE INTO MISSISSIPPI COUNTY
18 COMMUNITY COLLEGE; TO RENAME MISSISSIPPI
19 COUNTY COMMUNITY COLLEGE TO ARKANSAS
20 NORTHEASTERN COLLEGE.
21

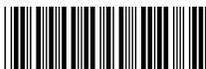
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. Definitions.

As used in this act:

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

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



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SECTION 2. Merger and name change.

(a) Effective July 1, 2003, Cotton Boll Technical Institute is merged with and into Mississippi County Community College, subject to the concurrence of the Higher Learning Commission, North Central Association of Colleges and Schools.

(b) Effective July 1, 2003, Mississippi County Community College shall be renamed and known as Arkansas Northeastern College.

SECTION 3. Board of directors and ex officio board of trustees.

Each board member of the Cotton Boll Technical Institute Board of Directors serving on June 30, 2003, shall become an ex officio member of the Board of Trustees of Arkansas Northeastern College on July 1, 2003, and for the remainder of his or her appointed term.

SECTION 4. Effect of merger on employees.

(a)(1) All permanent nonprobationary employees of Cotton Boll Technical Institute on June 30, 2003, shall become employees of Arkansas Northeastern College on July 1, 2003.

(2) A person who was a permanent nonprobationary employee of Cotton Boll Technical Institute on June 31, 2003, shall be employed by the Arkansas Northeastern College at least until July 1, 2008, if:

- (A) Job performance is satisfactory;
- (B) Student enrollment in programs is satisfactory; and
- (C) Student job placements are satisfactory.

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

- (i) The Arkansas Northeastern College health insurance plan; or
- (ii) The health insurance plan adopted by the State and Public School Life and Health Insurance Board for state employees.

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

1 (C) The Cotton Boll Technical Institute employees who are
2 classified employees of Cotton Boll but whose positions are deemed equivalent
3 by Arkansas Northeastern College to nonclassified employee' positions at the
4 college may become nonclassified and the classified position authorization is
5 changed to nonclassified position authorization with the requisite increase
6 in each appropriate nonclassified position allotment to the college.

7 (2) The Board of Trustees of Arkansas Northeastern College shall
8 promulgate rules and regulations establishing the procedure for employees to
9 exercise equal benefit options under this subsection (b).

10 (c)(1) The President of the Cotton Boll Technical Institute on June
11 30, 2003, shall be a Vice President at the Arkansas Northeastern College
12 until at least July 1, 2008.

13 (2) The employee who was the President of the Cotton Boll
14 Technical Institute on June 30, 2003, shall retain and continue to receive:

15 (A) All options, rights, and benefits of employment,
16 including salary plus any adjustment authorized by the Arkansas Northeastern
17 College board of trustees, granted in Subsection (b)(1) if this section; and

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

20 (d) An employee who was a member of the faculty of Cotton Boll
21 Technical Institute on June 30, 2003, shall be deemed qualified to teach in
22 the same level programs at the 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 Arkansas Northeastern 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 (a) Mississippi County Community College has established a
34 Catastrophic Leave Program for all permanent employees. The program is
35 similar to that authorized under Arkansas Code § 21-4-214.

36 (b) All Cotton Boll Technical Institute employees who were employed by

1 Cotton Boll Technical Institute on June 30, 2003, shall be in the
2 Catastrophic Leave Program of the Arkansas Northeastern College.

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4 SECTION 7. Effect of merger on curriculum.

5 (a)(1) Arkansas Northeastern College shall offer the option of:

6 (A) Applied general education courses in occupational
7 certificate programs now offered by Cotton Boll Technical Institute; and

8 (B) Where appropriate to the program involved, programs
9 offered by Mississippi County Community College, as of the effective date of
10 this act.

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

14 (b) Without regard to the higher average cost of occupational
15 programs, all current Cotton Boll Technical Institute programs shall continue
16 to be offered by Arkansas Northeastern College for as long as they meet
17 industry or student needs.

18 (c) All adult basic education, general educational development tests,
19 and high school programs provided by Cotton Boll Technical Institute or the
20 Mississippi County Community College on the effective date of this act shall
21 continue at the Arkansas Northeastern College.

22 (d) Existing certificate programs now offered at Cotton Boll Technical
23 Institute or certificate and degree programs now offered at Mississippi
24 County Community College shall continue to be authorized for Arkansas
25 Northeastern College until the Arkansas Higher Education Coordinating Board
26 determines that the programs do not meet minimum standards of quality and
27 cost effectiveness.

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29 SECTION 8. Purchasing.

30 (a) Purchases by Arkansas Northeastern College shall continue to be
31 made under procedures that were applicable to the community college or may be
32 made under procedures that were applicable to Cotton Boll Technical
33 Institute.

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

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 2 SECTION 9. 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 Cotton Boll Technical Institute are transferred to Arkansas
 6 Northeastern College.

7 (b) On July 1, 2003, all obligations of the Cotton Boll Technical
 8 Institute shall become obligations of Arkansas Northeastern College.

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

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

16
 17 SECTION 10. Workforce 2000 funding.

18 Funding from the Workforce 2000 Development Fund which would have been
 19 provided to Cotton Boll Technical Institute shall be provided to Arkansas
 20 Northeastern College to fund workforce development, vocational, occupational,
 21 and training programs offered by the college.

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 23 SECTION 11. Funding for salary equity.

24 In that funding for and achievement of salary equity among employees of
 25 Arkansas Northeastern College is essential for the successful merger of
 26 Cotton Boll Technical Institute into Arkansas Northeastern College, this act
 27 declares the importance of the provision through the Revenue Stabilization
 28 Act for salary equity in addition to incremental funding increases comparable
 29 to other institutions of higher education.

30
 31 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the
 32 General Assembly of the State of Arkansas that Mississippi County Community
 33 College, effective July 1, 2003, should be renamed as the Arkansas
 34 Northeastern College; that it would benefit both Cotton Boll Technical
 35 Institute and Mississippi County Community College to merge into one
 36 institution; that the merger of Cotton Boll Technical Institute into

1 Mississippi County Community College should occur at the beginning of the
2 next fiscal year; that substantial work must be done before the merger; and
3 that this act must become effective immediately in order for the preparatory
4 work for the merger to be completed. Therefore, an emergency is declared to
5 exist and this act being immediately necessary for the preservation of the
6 public peace, health, and safety shall become effective on:

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

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

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

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15 APPROVED: 3/27/2003
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