

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: S3/24/15
A Bill

HOUSE BILL 1750

5 By: Representative D. Ferguson
6 By: Senator K. Ingram
7

8 **For An Act To Be Entitled**

9 AN ACT TO AMEND THE PROVISIONS OF THE ARKANSAS CODE
10 CONCERNING GOVERNING BOARDS OF COMMUNITY *COLLEGES*; *TO*
11 *DECLARE AN EMERGENCY*; AND FOR OTHER PURPOSES.
12
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14 **Subtitle**

15 *TO AMEND PROVISIONS OF THE ARKANSAS CODE*
16 *CONCERNING GOVERNING BOARDS OF COMMUNITY*
17 *COLLEGES; AND TO DECLARE AN EMERGENCY.*
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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 § 6-53-103(7), concerning the definition of
23 "local board", is amended to read as follows:

24 (7)(A) "Local board" means the governing body of a technical
25 college or community college.

26 (B) A local board for a community college may be the board
27 of trustees of a four-year institution of higher education or the board of
28 trustees of a university system in the case of a merger under § 6-61-520(e);
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30 SECTION 2. Arkansas Code § 6-61-501(4), concerning the definition of
31 "local board", is amended to read as follows:

32 (4)(A) "Local board" means the governing body of a community
33 college established pursuant to the provisions of §§ 6-61-101 – 6-61-103, 6-
34 61-201 – 6-61-209, 6-61-211 [repealed], 6-61-212 – 6-61-216, 6-61-301 – 6-61-
35 305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 – 6-61-524, 6-61-601 –
36 6-61-603 and 6-61-604 – 6-61-612 [repealed].



1 (B) A local board for a community college may be the board
2 of trustees of a four-year institution of higher education or the board of
3 trustees of a university system in the case of a merger under § 6-61-520(e);
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5 SECTION 3. Arkansas Code § 6-61-520, concerning the establishment of
6 local boards, is amended to add additional subsections to read as follows:

7 (e)(1) After a merger between a community college and a four-year
8 institution of higher education or a university system, control of the
9 community college may be vested in the board of trustees of the four-year
10 institution of higher education or the board of trustees of the university
11 system.

12 (2) If the control of the community college is vested in the
13 board of trustees of a four-year institution of higher education or the board
14 of trustees of a university system, the board of trustees shall perform the
15 functions, duties, and responsibilities of the former governing body of the
16 community college and the provision of subsections (a)-(d) of this section
17 and § 6-61-529 do not apply.

18 (f)(1) After a merger under subsection (e) of this section, the former
19 governing body of the community college may become a board of visitors
20 performing such functions as determined by the board of visitors and the
21 board of trustees of the four-year institution of higher education or the
22 board of trustees of the university system.

23 (2) The membership of the board of visitors, including the
24 number of members, term of membership, and method of appointment of members
25 shall be decided by the board of trustees of the four-year institution of
26 higher education or the board of trustees of the university system.
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28 SECTION 4. Arkansas Code § 6-61-521(4)-(6), concerning powers and
29 duties of local boards, are amended to read as follows:

30 (4) To appoint and fix the compensation and the term of office of
31 a president or chancellor of the community college, ~~who shall be the~~
32 ~~executive officer for the local board and for the community college;~~

33 (5) To appoint, upon the nomination of the president or
34 chancellor, members of the administrative and teaching staffs and to fix
35 their compensation and terms of employment;

36 (6) Upon the recommendation of the president or chancellor, to

1 appoint or employ such other officers, agents, and employees of the community
2 college as may be required to carry out the provisions of §§ 6-61-101 – 6-61-
3 103, 6-61-201 – 6-61-209, 6-61-212 – 6-61-216, 6-61-301 – 6-61-305, 6-61-401,
4 6-61-402, 6-61-501 – 6-61-524, and 6-61-601 – 6-61-603 and to fix and
5 determine their qualifications, duties, compensation, and terms and
6 conditions of employment;

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8 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the
9 General Assembly of the State of Arkansas that there are pending mergers
10 involving community colleges; that this act is necessary to facilitate the
11 pending mergers of community colleges; and that this act is immediately
12 necessary because the merger will be finalized before this act would become
13 effective without an emergency clause. Therefore, an emergency is declared to
14 exist, and this act being immediately necessary for the preservation of the
15 public peace, health, and safety shall become effective on:

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

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

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

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23 /s/D. Ferguson
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26 **APPROVED: 04/02/2015**
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