

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

# A Bill

SENATE BILL 245

## For An Act To Be Entitled

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

### Subtitle

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

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

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

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

SECTION 3. Consolidations and Mergers. The institutional

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

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

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

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

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

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

1 hereby repealed.