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STATE OF ARKANSAS
OFFICE OF THE ATTORNEY GENERAL
JUSTICE BUILDING, LITTLE ROCK 72201

(501) 371-2007

OPINION NO. 85-149

June 21, 1985

The Honorable Mike Beebe
State Senator
211 Arch Street
Searcy, Arkansas 72143

Dear Senator Beebe:

This Office acknowledges receipt of your request for an official opinion. You ask:

... can the Arkansas Fire Training Academy Board actually hire and/or fire the Director or any employee [of the Arkansas Fire Training Academy], pursuant to Act 529 of 1983, or any other law currently in existence?

In answering your question it is helpful to review the history of the Arkansas Fire Training Academy. The State Fire College was created in the 1940's as a training program of the Department for Vocational, Technical, and Adult Education. In 1967 the administration and operation of the State Fire College was transferred to Southwest Technical Institute at Camden.

The operation of the Southwest Technical Institute and of the State Fire College was transferred from the State Board for Vocational Education to the Board of Trustees of Southern State College by Act 171 of 1975. In 1976 the school's name was changed to Southern Arkansas University.

The Arkansas Fire Training Academy is currently a division of Southern Arkansas University Tech and is administered by the Board of Trustees and the Chancellor.

The Arkansas Fire Training Academy Board was created by Act 529 of 1983, which is compiled at Ark. Stat. Ann. §§ 82-851 through 85-854. The powers of the Board are delineated in paragraph 4 of Act 529 of 1983 (Ark. Stat. Ann. §82-854) which provides:

The Arkansas Fire Training Academy Board shall have the authority and responsibility to advise the Chancellor

at Southern Arkansas University, Tech Branch on service needs, curriculum, instructional content and problems at the Fire Training Academy, and the appointment and retention of the Director of the Arkansas Fire Training Academy. [Acts 1983, No. 529, § 4, p. _; 1983, No. 530, § 4, p. _.]

Under the clear language of this act the role of the Fire Training Academy Board is advisory in nature. This act did not transfer control of the administration of the Fire Training Academy from the Board of Trustees of Southern Arkansas University and its Chancellor to the Fire Training Academy Board. Thus, this Act does not empower the Fire Training Academy Board to hire or fire the Director or other employees of the Fire Training Academy.

The foregoing opinion which I hereby approve was prepared by Assistant Attorney General Arnold M. Jochums.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steve Clark", is written over the typed name.

STEVE CLARK
Attorney General

JSC:AMJ:jkc