

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Representative McGinnis**

# A Bill

**ACT 296 OF 1995**  
**HOUSE BILL 1353**

## For An Act To Be Entitled

8 "AN ACT TO PERMIT COLLEGES AND UNIVERSITIES TO EFFECT A  
9 NET SAVINGS BY PROVIDING EARLY RETIREMENT INCENTIVES FOR  
10 QUALIFIED NON-TENURED FACULTY AND STAFF; AND FOR OTHER  
11 PURPOSES."

## Subtitle

14 "TO ESTABLISH INCENTIVES FOR VOLUNTARY  
15 EARLY RETIREMENT FOR NON-TENURED FACULTY  
16 AND STAFF."

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

20 SECTION 1. The purpose of this act is to create incentives for the  
21 efficient management of the public higher education resources of the state of  
22 Arkansas by allowing public higher education institutions to establish early  
23 retirement window incentives for qualified non-tenured faculty and staff who  
24 elect voluntary separation from the institution.

26 SECTION 2. The Board of Trustees of the publicly supported institutions  
27 of higher education may provide special allowances for non-tenured faculty and  
28 staff to effect a saving in personnel salaries and fringe benefits costs when  
29 it is determined by the Board of Trustees that such saving will provide for  
30 more efficient operation of said institution.

32 SECTION 3. The Board of Trustees shall approve criteria to determine  
33 qualifications to be met by the institution and the employee. Such  
34 qualifications shall include but are not limited to: assurance that  
35 participation is strictly voluntary for employees, only full-time employees  
36 who are at least 55 years of age, or meet the retirement requirements for the

1 Federal Civil Service; and a savings in personnel cost will be realized by the  
2 institution.

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4 SECTION 4. The amount of all such allowances for any institution shall  
5 not exceed, in the aggregate during any fiscal year, an amount equal to one  
6 percent (1%) of the aggregate paid for personnel costs during the preceding  
7 fiscal year for the institution. The Board of Trustees is authorized to pay  
8 such allowances from any appropriation provided for regular salaries for the  
9 benefit of its institution and from any source of funds available to the  
10 institution.

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12 SECTION 5. The Board of Trustees of each institution shall report the  
13 exact deposition of the special allowance to the Legislative Joint Auditing  
14 Committee by July 1 of each year.

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

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20 SECTION 7. If any provision of this act or the application thereof to  
21 any person or circumstance is held invalid, such invalidity shall not affect  
22 other provisions or applications of the act which can be given effect without  
23 the invalid provision or application, and to this end the provisions of this  
24 act are declared to be severable.

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26 SECTION 8. All laws and parts of laws in conflict with this act are  
27 hereby repealed.

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29 SECTION 9. EMERGENCY. It is hereby found and determined by the General  
30 Assembly that it is essential to the efficient operation of the state  
31 supported institutions of higher education that the delay in the effective  
32 date of this act could work irreparable harm upon the proper administration  
33 and provision of essential governmental programs. Therefore, an emergency is  
34 hereby declared to exist and this act being necessary for the preservation of  
35 the public peace, health and safety shall be in full force and effect from and

1 after its passage and approval.

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APPROVED: 2-13-95

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