

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H3/15/99

A Bill

Act 998 of 1999
SENATE BILL 567

5 By: Senators D. Malone, Argue, Beebe, Bisbee, Bradford, Brown, Edwards, Fitch, Gordon, Gwatney,
6 Harriman, Hoofman, Hopkins, Kennedy, Riggs, Scott, K. Smith, Walters, Wilson
7 By: Representatives Hausam, Allison, Angel, Bledsoe, Bookout, Carson, Creekmore, Eason, Files,
8 Gillespie, Green, Hathorn, Jacobs, G. Jeffress, J. Jeffress, Laverty, Salmon, Simmons, Simon, R.
9 Smith, Taylor, Wood
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For An Act To Be Entitled

12 "AN ACT TO AMEND ARKANSAS CODE 6-62-103 PERTAINING TO
13 THE COMPENSATION OF EXCEPTIONALLY QUALIFIED ACADEMIC
14 AND NONACADEMIC PERSONNEL; AND FOR OTHER PURPOSES."
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Subtitle

17 "TO AMEND ARKANSAS CODE 6-62-103
18 PERTAINING TO THE COMPENSATION OF
19 EXCEPTIONALLY QUALIFIED ACADEMIC AND
20 NONACADEMIC PERSONNEL."
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code 6-62-103 is amended to read as follows:

27 "6-62-103. Endowment of chairs - Attraction of exceptionally qualified
28 academic and nonacademic personnel.

29 (a)(1) Private contributors to state-supported colleges and
30 universities frequently designate their gifts for the purpose of endowing
31 academic chairs or attracting personnel with exceptional qualifications.

32 (2) In order to appropriately compensate these individuals from
33 private funds contributed for such purposes, special provisions for payments
34 exceeding maximum authorized compensation levels are necessary.

35 (b) The board of trustees of any state-supported college or university
36 in Arkansas may authorize salary or salary-related payments to individuals

1 from funds contributed for such purposes which exceed the maximum for
 2 positions established by state law subject to the limitations established in
 3 this section.

4 (c) In order for the board of trustees of any state-supported college
 5 or university to authorize additional payments as established in subsection
 6 (b) of this section, the individual to receive the payments must be:

7 (1) Selected and recommended by the appropriate department;

8 (2) Approved by appropriate administrative personnel, ~~and~~
 9 ~~recommended by the president and the board of trustees;~~

10 (3) The holder of an academic/research chair endowed wholly or in
 11 part by contributions from sources other than public funds, ~~or~~ exceptionally
 12 qualified academic or nonacademic personnel paid wholly from contributions
 13 ~~from sources other than public funds~~ or a visiting academic/research faculty
 14 member for a specified period whose service is endowed or supported wholly or
 15 in part by contributions from sources other than public funds.

16 (d) All funds paid to any individual above the maximum established by
 17 law as authorized in this section must come from private contributions or the
 18 proceeds from private contributions designated for such purposes.

19 ~~No funds as authorized in this section shall be paid to any~~
 20 ~~athletic personnel employed by a state-supported college or university in this~~
 21 ~~state.~~ The provisions of this section are supplemental to the fiduciary
 22 authority and powers of boards of trustees of public colleges and universities
 23 to expend funds as public trustees for the benefit of the institution to
 24 attract and retain exceptionally qualified academic and nonacademic employees.
 25 Nothing in Act 335 of 1985 or Act 822 of 1991 shall prohibit, or be construed
 26 to prohibit, boards of trustees of public colleges and universities from
 27 authorizing salary or salary related payments to exceptionally qualified
 28 academic or nonacademic personnel in excess of the maximum established by law,
 29 or from approving or ratifying such payments previously made, provided that
 30 the amount of any such payment above the maximum established by law, and only
 31 such amount, must come from private contributions or the proceeds from private
 32 contributions designated for such purposes."

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 34 SECTION 2. All provisions of this act of a general and permanent nature
 35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 36 Revision Commission shall incorporate the same in the Code.

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SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second General Assembly that private contributors should be encouraged to support Arkansas higher education institutions; that such contributions will enhance the quality of academic and research efforts of said institutions and further will enhance the ability of said institutions to attract and retain exceptionally qualified nonacademic personnel; and that competitive salaries are necessary to attract nationally recognized academic and nonacademic personnel. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.

/s/ D. Malone, et al

APPROVED: 3/31/1999