

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1125

By: Representatives Hutchinson and Flanagin

For An Act To Be Entitled

"AN ACT TO REQUIRE ALL STATE AGENCIES AND STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION HAVING FORTY OR MORE EMPLOYEES ON JUNE 30, 1989 TO REDUCE THE NUMBER OF EMPLOYEES IN EACH AGENCY BY TEN PERCENT DURING THE 1989-91 BIENNIUM, IF POSSIBLE THROUGH RETIREMENT, RESIGNATION OR DEATH OF EMPLOYEES; AND FOR OTHER PURPOSES."

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

SECTION 1. This Act shall be know as the "Austerity in State Government Act of 1989."

SECTION 2. Each agency of the State and State-supported institution of higher education having forty (40) or more employees on the payroll on June 30, 1989 shall attempt, if possible, through the retirement, resignation or death of employees in each such agency, reduce the number of personnel employed by each such agency by a maximum of ten percent (10%) during the 1989-91 biennium. In carrying out the mandate of this Act, agencies shall eliminate managerial, administrative and supervisory personnel and only support personnel who do not provide direct services to the clientele served by the agency. State Agency, for the purposes of this Act, shall mean a unit of state government which has an administrator, commissioner or director who is appointed by the governor, a board or a commission.

When an employee of any such agency retires, resigns or dies, the vacancy created thereby shall not be filled unless the Director determines that failure to fill the vacant position will create a severe hardship for the agency in which event the position may be filled. Each agency subject to the provisions of this Act shall have its staffing patterns and position utilization analyzed by the Arkansas Legislative Council not later than the

conclusion of the third quarter of the first fiscal year of each biennium and the results of such analysis reported by the Arkansas Legislative Council to the General Assembly as provided for in Act 199 of 1969, as amended by Act 981 of 1985.

Nothing contained herein shall be construed to impair the authority of any institution or agency to honor existing contracts for personnel nor to otherwise require a reduction in staff to such extent as to seriously impair the ability of such institutions or agencies to maintain their accreditation or certification and to provide essential personnel to operate such institution or agencies, nor to interfere with any existing Executive Orders regarding a freeze on the hiring of personnel by State agencies. The Chief Fiscal Officer with the assistance of the Department of Higher Education shall adopt appropriate rules, regulations and guidelines concerning compliance with the provisions of this Act by all State supported institutions of higher education and agencies.

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

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