

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative McGinnis

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## 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."

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### Subtitle

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

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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.

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

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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

1 who are at least 55 years of age, or meet the retirement requirements for the  
 2 Federal Civil Service; and a savings in personnel cost will be realized by  
 3 the institution.

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

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

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

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

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

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

1 the public peace, health and safety shall be in full force and effect from  
2 and after its passage and approval.