

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

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*

## For An Act To Be Entitled

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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."

## Subtitle

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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*