

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill ACT 438 OF 1991

## HOUSE BILL 1603

### For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE ARKANSAS PUBLIC EMPLOYEES  
10 RETIREMENT SYSTEM FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
11 1993; AND FOR OTHER PURPOSES."

12  
13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

14  
15 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
16 for the Arkansas Public Employees Retirement System for the 1991-93 biennium,  
17 the following maximum number of regular employees whose salaries shall be  
18 governed by the provisions of the Uniform Classification and Compensation Act  
19 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory  
20 thereto. Provided, however, that any position to which a specific maximum  
21 annual salary is set out herein in dollars, shall be exempt from the  
22 provisions of said Uniform Classification and Compensation Act. All persons  
23 occupying positions authorized herein are hereby governed by the provisions of  
24 the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-  
25 101), or its successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees</del>	<del>1991-92</del>	<del>1992-93</del>
31	(1)	9977 PERS DIRECTOR	1	\$ 65,000	\$ 70,000
32	(2)	606Z PERS ASSISTANT DIRECTOR	1		GRADE 26
33	(3)	988Z ASSOC DIR - INVESTMENTS	1		GRADE 24
34	(4)	608Z PERS PROGRAM MGR/RETIREMENT	1		GRADE 23
35		610Z PERS PROGRAM MGR/ADMIN SVCS	1		
36	(5)	A119 PERS PROG MGR/MEMBERSHIP & RECORDS	1		GRADE 22

1	D066 SYSTEMS COORDINATION ANALYST II	1	
2	R017 APERS RESEARCH & SUPPORT MANAGER	1	
3	(6) A059 RETIREMENT MANAGER/SUPV MEMBERSHIP	1	GRADE 21
4	A008 ACCOUNTING SUPV II	1	
5	A097 RETIREMENT COUNSELOR SUPERVISOR	2	
6	A164 RETIREMENT FUND INVESTMENT SUPV	1	
7	D036 SR PROGRAMMER/ANALYST	1	
8	(7) A060 INVESTMENT SPECIALIST	3	GRADE 19
9	A113 RETIREMENT COUNSELOR	6	
10	R030 ASST PERSONNEL MANAGER	1	
11	(8) A111 ACCOUNTANT	1	GRADE 18
12	R264 MANAGEMENT PROJECT ANALYST I	2	
13	(9) R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17
14	(10) R440 BUSINESS CONTROLLER II	1	GRADE 16
15	(11) A108 ACCOUNTING TECHNICIAN II	1	GRADE 15
16	A092 REPORTING SPECIALIST III	3	
17	(12) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
18	(13) A091 REPORTING SPECIALIST II	4	GRADE 13
19	K153 SECRETARY II	4	
20	(14) A106 ACCOUNTING TECHNICIAN I	1	GRADE 12
21	(15) A089 REPORTING SPECIALIST I	1	GRADE 11
22	K155 SECRETARY I	<u>2</u>	
23	MAX NO. OF EMPLOYEES	46	

24

25 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for

26 the Arkansas Public Employees Retirement System for the 1991-93 biennium, the

27 following maximum number of part-time or temporary employees, to be known as

28 "Extra Help", payable from funds appropriated herein for such purposes: four

29 (4) temporary or part-time employees, when needed, at rates of pay not to

30 exceed those provided in the Uniform Classification and Compensation Act, or

31 its successor, or this act for the appropriate classification.

32

33 SECTION 3. APPROPRIATIONS - OPERATIONS. There is hereby appropriated,

34 to the Arkansas Public Employees Retirement System, to be payable from the

35 Arkansas Public Employees' Retirement System Fund, for personal services and

36 operating expenses of the Arkansas Public Employees Retirement System for the

1 biennial period ending June 30, 1993, the following:

2

3 ITEM	FISCAL YEARS	
4 NO.	1991-92	1992-93
5 (01) REGULAR SALARIES	\$ 1,094,177	\$ 1,148,922
6 (02) EXTRA HELP	6,500	6,500
7 (03) PERSONAL SERV MATCHING	264,434	279,636
8 (04) MAINT. & GEN. OPERATION		
9 (A) OPER. EXPENSES \$ 327,151 \$ 342,451		
10 (B) CONF. & TRAVEL 24,045 24,045		
11 (C) PROF. FEES 3,748,671 4,295,840		
12 (D) CAPITAL OUTLAY 32,736 32,736		
13 (E) DATA PROCESSING 0 0		
14 TOTAL MAINT. & GEN. OPER. 4,132,603 4,695,072		
15 (05) INVESTMENT/BENEFIT/REFUND 435,000,000 435,000,000		
16 (06) PURCHASE DATA PROCESSING 525,000 525,000		
17 TOTAL AMOUNT APPROPRIATED <u>\$441,022,714</u> <u>\$441,655,130</u>		

18

19 SECTION 4. APPROPRIATIONS - PUBLIC EMPLOYEES RETIREMENT - CASH. There  
 20 is hereby appropriated, to the Arkansas Public Employees Retirement System, to  
 21 be payable from cash funds as defined by Arkansas Code 19-4-801 of the  
 22 Arkansas Public Employees Retirement System, for payments to beneficiaries by  
 23 check or wire transfer by the Arkansas Public Employees Retirement System for  
 24 the biennial period ending June 30, 1993, the following:

25

26 ITEM	FISCAL YEARS	
27 NO.	1991-92	1992-93
28 (01) BENEFITS	<u>\$ 65,000,000</u>	<u>\$ 65,000,000</u>

29

30 SECTION 5. APPROPRIATIONS - STATE POLICE RETIREMENT. There is hereby  
 31 appropriated, to the Arkansas Public Employees Retirement System, to be  
 32 payable from the State Police Retirement Fund, for operating expenses,  
 33 investments, refunds and reimbursement of the Arkansas Public Employees  
 34 Retirement System for administration of the State Police Retirement for the  
 35 biennial period ending June 30, 1993, the following:

36

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1 ITEM	FISCAL YEARS		
	2 NO.	1991-92	1992-93
3 (01) MAINT. & GEN. OPERATION			
4 (A) OPER. EXPENSES	\$ 8,500	\$ 8,500	
5 (B) CONF. & TRAVEL	0	0	
6 (C) PROF. FEES	217,300	257,200	
7 (D) CAPITAL OUTLAY	0	0	
8 (E) DATA PROCESSING	<u>0</u>	<u>0</u>	
9 TOTAL MAINT. & GEN. OPER.	\$ 225,800	\$ 265,700	
10 (02) INVESTMENT/BENEFIT/REFUND	25,250,000	25,250,000	
11 (03) DATA PROCESSING SERVICES	<u>28,000</u>	<u>28,000</u>	
12 TOTAL AMOUNT APPROPRIATED	<u>\$ 25,503,800</u>	<u>\$ 25,543,700</u>	

13

14 SECTION 6. APPROPRIATIONS - STATE POLICE RETIREMENT - CASH. There is  
 15 hereby appropriated, to the Arkansas Public Employees Retirement System, to be  
 16 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas  
 17 Public Employees Retirement System, for payments to beneficiaries of the State  
 18 Police Retirement System by check or wire transfer for the biennial period  
 19 ending June 30, 1993, the following:

20

21 ITEM	FISCAL YEARS		
	22 NO.	1991-92	1992-93
23 (01) BENEFITS	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>	

24

25 SECTION 7. APPROPRIATIONS - JUDICIAL RETIREMENT. There is hereby  
 26 appropriated, to the Arkansas Public Employees Retirement System, to be  
 27 payable from the Judges Retirement Fund, for operating expenses, investments,  
 28 benefits, refunds and reimbursement of the Arkansas Public Employees  
 29 Retirement System for administration of the Judicial Retirement System for the  
 30 biennial period ending June 30, 1993, the following:

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32 ITEM	FISCAL YEARS		
	33 NO.	1991-92	1992-93
34 (01) MAINT. & GEN. OPERATION			
35 (A) OPER. EXPENSES	\$ 6,596	\$ 6,596	
36 (B) CONF. & TRAVEL	0	0	

1	(C) PROF. FEES	87,300	87,800
2	(D) CAPITAL OUTLAY	0	0
3	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
4	TOTAL MAINT. & GEN. OPER.		\$ 93,896 \$ 94,396
5	(02) INVESTMENT/BENEFIT/REFUND		8,000,000 8,000,000
6	(03) PURCHASE DATA PROCESSING		<u>17,500</u> <u>17,500</u>
7	TOTAL AMOUNT APPROPRIATED		<u>\$ 8,111,396</u> <u>\$ 8,111,896</u>

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9 SECTION 8. APPROPRIATIONS - JUDICIAL RETIREMENT - CASH. There is hereby

10 appropriated, to the Arkansas Public Employees Retirement System, to be

11 payable from the cash funds of the Judicial Retirement System, for payments to

12 beneficiaries of the Judicial Retirement System by check or wire transfer for

13 the biennial period ending June 30, 1993, the following:

14			
15	ITEM	FISCAL YEARS	
16	NO.	1991-92	1992-93
17	(01) BENEFITS	<u>\$ 3,000,000</u>	<u>\$ 3,000,000</u>

18

19 SECTION 9. A sum not to exceed \$20,000 in the 1991-92 fiscal year, and

20 \$20,000 in the 1992-93 fiscal year may be transferred from the State Police

21 Retirement Fund to the Arkansas Public Employees Retirement System Fund for

22 costs incurred by the Arkansas Public Employees Retirement System. Such

23 transfer request shall be made to the Chief Fiscal Officer of the State, and

24 upon his approval, said transfer shall be made on his books and those of the

25 Treasurer of the State and the Auditor of the State.

26

27 SECTION 10. The Arkansas Public Employees Retirement System is hereby

28 exempted from seeking prior review by the Arkansas Legislative Council with

29 regard to Maintenance and General Operation appropriation classification

30 transfers within appropriations provided in this Act, which are specifically

31 related to transfers necessitated by any contractual agreements entered into

32 for electronic transfer of funds services. All other provisions of Arkansas

33 Code 19-4-522 shall be applicable.

34

35 SECTION 11. CARRY FORWARD. The remaining balance as of June 30, 1992,

36 of unexpended appropriation in Operating Expense and Professional Fees in

1 Section 3 of this Act shall be carried forward into fiscal year 1992-93 to be  
2 used for the same purposes.

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4 SECTION 12. A sum not to exceed \$10,000 in the 1991-92 fiscal year, and  
5 \$10,000 in the 1992-93 fiscal year may be transferred from the Judges  
6 Retirement Fund to the Arkansas Public Employees Retirement System Fund for  
7 costs incurred by the Arkansas Public Employees Retirement System in  
8 administering the Judicial Retirement System. Such transfer request shall be  
9 made to the Chief Fiscal Officer of the State, and upon his approval, said  
10 transfer shall be made on his books and those of the Treasurer of the State  
11 and the Auditor of the State.

12

13 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
14 authorized by this Act shall be limited to the appropriation for such agency  
15 and funds made available by law for the support of such appropriations; and  
16 the restrictions of the State Purchasing Law, the General Accounting and  
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
18 Procedures and Restrictions Act, or their successors, and other fiscal control  
19 laws of this State, where applicable, and regulations promulgated by the  
20 Department of Finance and Administration, as authorized by law, shall be  
21 strictly complied with in disbursement of said funds.

22

23 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General  
24 Assembly that any funds disbursed under the authority of the appropriations  
25 contained in this Act shall be in compliance with the stated reasons for which  
26 this Act was adopted, as evidenced by the Agency Requests, Executive  
27 Recommendations and Legislative Recommendations contained in the budget  
28 manuals prepared by the Department of Finance and Administration, letters, or  
29 summarized oral testimony in the official minutes of the Arkansas Legislative  
30 Council or Joint Budget Committee which relate to its passage and adoption.

31

32 SECTION 15. CODE. All provisions of this Act of a general and  
33 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
34 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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36 SECTION 16. SEVERABILITY. If any provision of this Act or the

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

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6 SECTION 17. GENERAL REPEALER. All laws and parts of laws in conflict  
7 with this Act are hereby repealed.

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9 SECTION 18. HEALTH PREMIUMS. The Arkansas Public Employees Retirement  
10 System shall not, during the 1992-93 fiscal year, spend more for health  
11 insurance per employee than the amount being contributed to the State  
12 Employees Health Insurance Program.

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14 SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the  
15 Seventy-Eighth General Assembly, that the Constitution of the State of  
16 Arkansas prohibits the appropriation of funds for more than a two (2) year  
17 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
18 operation of the agency for which the appropriations in this Act are provided,  
19 and that in the event of an extension of the Regular Session, the delay in the  
20 effective date of this Act beyond July 1, 1991 could work irreparable harm  
21 upon the proper administration and provision of essential governmental  
22 programs. Therefore, an emergency is hereby declared to exist and this Act  
23 being necessary for the immediate preservation of the public peace, health and  
24 safety shall be in full force and effect from and after July 1, 1991.

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*/s/ John E. Miller*

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APPROVED: 3-11-91

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