

As Engrossed: 3/30/95

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative Luker**

A Bill

ACT 1292 OF 1995
HOUSE BILL 1543

For An Act To Be Entitled

8 "AN ACT TO AUTHORIZE MEMBERS OF RURAL WATERWORKS
9 FACILITIES BOARDS TO PARTICIPATE IN THE PUBLIC EMPLOYEE'S
10 RETIREMENT SYSTEM; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT TO AUTHORIZE EMPLOYEES OF RURAL
15 WATERWORKS FACILITIES BOARDS TO
16 PARTICIPATE IN PEERS."

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

21 SECTION 1. Subdivision (5) of Arkansas Code 24-4-101 is amended to read
22 as follows:

23 "(5) 'Participating public employer' means any county, municipality,
24 rural waterworks facilities boards, regional airport authority, public
25 facilities board, regional solid waste management board, joint county and
26 municipal sanitation authority, or regional water distribution board, in the
27 state whose employees are included in the membership of the system;"

29 SECTION 2. Subdivision (9) of Arkansas Code 24-4-101 is amended to read
30 as follows:

31 "(9) 'Nonstate employees' means county employees, municipal employees,
32 rural waterworks facilities board employees, regional airport authority
33 employees, public facilities board employees, regional solid waste management
34 board employees, joint county and municipal sanitation authority employees,
35 regional water distribution board employees and school employees;"

1 SECTION 3. Arkansas Code 24-4-101 is amended by adding a new subdivision at
2 the end thereof to read as follows:

3 "(31) 'Rural waterworks facilities board' means a rural waterworks
4 facilities' board created under Act 617 of 1995."

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6 SECTION 4. Arkansas Code 24-4-202(e) is amended to read as follows:

7 "(e) In the case of regional Airport Authority employees, Public
8 Facilities Board employees, Rural Waterworks Facilities Board Employees,
9 Regional Solid Waste Management Board employees, Joint County and Municipal
10 Sanitation Authority employees, and Regional Water Distribution Board
11 employees, each participating employer shall pay into the Arkansas Public
12 Employees Retirement System Fund such sums of money as are necessary to
13 provide the employer's contribution, as directed by the Arkansas Public
14 Employees Retirement System Board. The contribution shall be transmitted to
15 the Arkansas Public Employees Retirement System, together with such supporting
16 data, as the Arkansas Public Employees Retirement System Board shall prescribe
17 from time to time."

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19 SECTION 5. (a) Any full-time employee of a Public Facilities Board,
20 Rural Waterworks Facilities Board, Regional Solid Waste Management Board,
21 Joint County and Municipal Sanitation Authority, or Regional Water
22 Distribution Board enrolled in the Arkansas Public Employees Retirement System
23 pursuant to this act, who is a full-time employee of a participating Public
24 Facilities Board, Regional Solid Waste Management Board, Joint County and
25 Municipal Sanitation Authority, or Regional Water Distribution Board in this
26 state on the date his employer became, or becomes, a public employer in the
27 System, may apply for and receive current service credit for services rendered
28 as a full-time employee of the Public Facilities Board, Regional Solid Waste
29 Management Board, Joint County and Municipal Sanitation Authority, or Regional
30 Water Distribution Board. The employee shall receive credit only if the
31 employee or employer pays, or causes to be paid, to the Arkansas Public
32 Employees Retirement System Fund all necessary employer contributions and
33 employee contributions, if applicable, that would have been paid had the
34 employee been a member of the Arkansas Public Employees Retirement System
35 during that time, plus interest thereon at the rate directed by the Board of

1 Trustees of the Arkansas Public Employees Retirement System. The employer's
2 contributions and employees' contributions, if applicable, shall be
3 transmitted to the System in the form and manner, together with the supporting
4 data, as the Arkansas Public Employees Retirement System Board of Trustees
5 shall prescribe from time to time.

6 (b) The governing body of any Public Facilities Board, Rural Waterworks
7 Facilities Board, Regional Solid Waste Management Board, Joint County and
8 Municipal Sanitation Authority, or Regional Water Distribution Board electing
9 to include the full-time employees of the Board within the membership of the
10 Arkansas Public Employees Retirement System may pay the employer contributions
11 and employee contributions, if applicable, on behalf of employees for services
12 rendered."

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

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

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

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27 SECTION 9. EMERGENCY. It is hereby found and determined by the General
28 Assembly that employees of Rural Waterworks Facilities Boards created by Act
29 617 of 1995 should be entitled to participate in the Public Employees
30 Retirement System at the beginning of the next fiscal year; and that unless
31 this emergency clause is adopted this act might not become effective until
32 after the beginning of the next fiscal year. Therefore, an emergency is
33 hereby declared to exist and this act being necessary for the immediate
34 preservation of the public peace, health and safety shall be in full force and
35 effect from and after July 1, 1995

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/s/Rep. Luker

APPROVED: 4-14-95

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