

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 547 of 2001
HOUSE BILL 1226

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE ARKANSAS PUBLIC
11 EMPLOYEES RETIREMENT SYSTEM FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE ARKANSAS PUBLIC EMPLOYEES
16 RETIREMENT SYSTEM APPROPRIATION FOR
17 THE 2001-2003 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES – PUBLIC EMPLOYEE RETIREMENT SYSTEM. There is
24 hereby established for the Arkansas Public Employees Retirement System for the
25 2001-2003 biennium, the following maximum number of regular employees whose
26 salaries shall be governed by the provisions of the Uniform Classification and
27 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
28 laws amendatory thereto. Provided, however, that any position to which a
29 specific maximum annual salary is set out herein in dollars, shall be exempt
30 from the provisions of said Uniform Classification and Compensation Act. All
31 persons occupying positions authorized herein are hereby governed by the
32 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
33 Code §21-5-101), or its successor.
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Maximum Annual
Maximum Salary Rate

Item	Class		No. of	Fiscal Years	
	No.	Code Title	Employees	2001-2002	2002-2003
3	(1)	9977 PERS DIRECTOR	1	\$97,582	\$100,119
4	(2)	9029 PERS ASST DIRECTOR	1	\$74,140	\$76,067
5	(3)	9028 PERS ASSOC DIR - INVESTMENTS	1	\$62,734	\$64,365
6	(4)	297Z GENERAL BUSINESS MANAGER	1	GRADE 24	
7	(5)	R017 APERS MEMBER SERVICES MGR	1	GRADE 23	
8	(6)	610Z PERS PROG MGR/ADMIN SVCS	1	GRADE 23	
9	(7)	608Z PERS PROGRAM MGR/RETIREMENT	1	GRADE 23	
10	(8)	D046 SYSTEMS APPLICATIONS SUPERVISOR	1	GRADE 23	
11	(9)	D124 LEAD PROGRAMMER/ANALYST	1	GRADE 22	
12	(10)	A132 APERS MANAGER/SUPERVISOR MEMBERSHIP	2	GRADE 21	
13	(11)	A097 RETIREMENT COUNSELOR SUPERVISOR	2	GRADE 21	
14	(12)	A164 RETIREMENT FUND INVESTMENT SUPV	1	GRADE 21	
15	(13)	A056 INTERNAL AUDITOR	1	GRADE 20	
16	(14)	R266 MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
17	(15)	D121 USER SUPPORT ANALYST	1	GRADE 20	
18	(16)	A122 ACCOUNTING SERVICES REP I	1	GRADE 19	
19	(17)	A060 INVESTMENT SPECIALIST	4	GRADE 19	
20	(18)	R150 RESEARCH PROJECT ANALYST	1	GRADE 19	
21	(19)	A113 RETIREMENT COUNSELOR	10	GRADE 19	
22	(20)	A111 ACCOUNTANT	1	GRADE 18	
23	(21)	R264 MANAGEMENT PROJECT ANALYST I	2	GRADE 18	
24	(22)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
25	(23)	A108 ACCOUNTING TECHNICIAN II	3	GRADE 15	
26	(24)	A092 REPORTING SPECIALIST III	6	GRADE 15	
27	(25)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
28	(26)	K153 SECRETARY II	<u>4</u>	GRADE 13	
29		MAX. NO. OF EMPLOYEES	52		

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31 SECTION 2. EXTRA HELP – PUBLIC EMPLOYEE RETIREMENT SYSTEM. There is hereby
 32 authorized, for the Arkansas Public Employees Retirement System for the 2001-
 33 2003 biennium, the following maximum number of part-time or temporary
 34 employees, to be known as "Extra Help", payable from funds appropriated herein
 35 for such purposes: four (4) temporary or part-time employees, when needed, at
 36 rates of pay not to exceed those provided in the Uniform Classification and

1 Compensation Act, or its successor, or this act for the appropriate
 2 classification.

3
 4 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the
 5 Arkansas Public Employees Retirement System, to be payable from the Arkansas
 6 Public Employees' Retirement System Fund, for personal services and operating
 7 expenses of the Arkansas Public Employees Retirement System for the biennial
 8 period ending June 30, 2003, the following:

9

10 ITEM	FISCAL YEARS	
11 NO.	2001-2002	2002-2003
12 (01) REGULAR SALARIES	\$ 1,806,801	\$ 1,853,779
13 (02) EXTRA HELP	25,000	25,000
14 (03) PERSONAL SERV MATCHING	471,313	479,616
15 (04) MAINT. & GEN. OPERATION		
16 (A) OPER. EXPENSE	707,393	710,393
17 (B) CONF. & TRAVEL	40,000	40,000
18 (C) PROF. FEES	5,027,748	5,058,077
19 (D) CAP. OUTLAY	60,000	20,000
20 (E) DATA PROC.	0	0
21 (05) INVESTMENT/BENEFIT/REFUND	50,000,000	50,000,000
22 (06) DATA PROCESSING SERVICES	<u>2,000,000</u>	<u>2,000,000</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$ 60,138,255</u>	<u>\$ 60,186,865</u>

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 25 SECTION 4. APPROPRIATIONS – PUBLIC EMPLOYEE RETIREMENT CASH. There is
 26 hereby appropriated, to the Arkansas Public Employees Retirement System, to be
 27 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
 28 Public Employees Retirement System, for payment to beneficiaries by check or
 29 wired transfer by the Arkansas Public Employees Retirement System for the
 30 biennial period ending June 30, 2003, the following:

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32 ITEM	FISCAL YEARS	
33 NO.	2001-2002	2002-2003
34 (01) BENEFITS	<u>\$ 150,000,000</u>	<u>\$ 150,000,000</u>

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 36 SECTION 5. APPROPRIATIONS - STATE POLICE RETIREMENT CASH. There is hereby

1 appropriated, to the Arkansas Public Employees Retirement System, to be
 2 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
 3 Public Employees Retirement System, for payment to beneficiaries of the State
 4 Police Retirement System by check or wired transfer by the Arkansas Public
 5 Employees Retirement System for the biennial period ending June 30, 2003, the
 6 following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) BENEFITS	<u>\$ 10,000,000</u>	<u>\$ 10,000,000</u>

11
 12 SECTION 6. APPROPRIATIONS - JUDICIAL RETIREMENT CASH. There is hereby
 13 appropriated, to the Arkansas Public Employees Retirement System, to be
 14 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
 15 Public Employees Retirement System, for payment to beneficiaries of the
 16 Judicial Retirement System by check or wired transfer by the Arkansas Public
 17 Employees Retirement System for the biennial period ending June 30, 2003, the
 18 following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) BENEFITS	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>

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 22 SECTION 7. APPROPRIATION - JUDICIAL RETIREMENT PROGRAM. There is hereby
 23 appropriated, to the Arkansas Public Employees Retirement System, to be
 24 payable from the Judges Retirement Fund, for operating expenses of the
 25 Judicial Retirement System by the Arkansas Public Employees Retirement System
 26 for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	10,510	10,510
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	152,879	152,879
(D) CAP. OUTLAY	0	0

1	(E) DATA PROC.	0	0
2	(02) INVESTMENTS/BENEFITS/REFUNDS	6,000,000	6,000,000
3	(03) DATA PROCESSING SERVICES	<u>17,500</u>	<u>17,500</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 6,180,889</u>	<u>\$ 6,180,889</u>

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6 SECTION 8. APPROPRIATION - STATE POLICE RETIREMENT PROGRAM. There is hereby
7 appropriated, to the Arkansas Public Employees Retirement System, to be
8 payable from the State Police Retirement Fund, for operating expenses of the
9 State Police Retirement System by the Arkansas Public Employees Retirement
10 System for the biennial period ending June 30, 2003, the following:

11		FISCAL YEARS	
12	ITEM		
13	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
14	(01) MAINT. & GEN. OPERATION		
15	(A) OPER. EXPENSE	12,610	12,610
16	(B) CONF. & TRAVEL	0	0
17	(C) PROF. FEES	320,950	320,950
18	(D) CAP. OUTLAY	0	0
19	(E) DATA PROC.	0	0
20	(02) INVESTMENT/BENEFIT/REFUND	12,000,000	12,000,000
21	(03) DATA PROCESSING SERVICES	<u>28,000</u>	<u>28,000</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$ 12,361,560</u>	<u>\$ 12,361,560</u>

23
24 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
25 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. TRANSFERS. A
26 sum not to exceed ~~\$30,102~~ \$31,935 in the ~~1999-2000~~ 2001-2002 fiscal year, and
27 ~~\$31,005~~ \$32,893 in the ~~2000-01~~ 2002-2003 fiscal year may be transferred from
28 the State Police Retirement Fund to the Arkansas Public Employees Retirement
29 System Fund for costs incurred by the Arkansas Public Employees Retirement
30 System in administering the State Police Retirement System. Such transfer
31 request shall be made to the Chief Fiscal Officer of the State, and upon his
32 approval, said transfer shall be made on his books and those of the Treasurer
33 of the State and the Auditor of the State. The provisions of this section
34 shall be in effect only from July 1, 2001 through June 30, 2003.

35
36 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE

1 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. CARRY FORWARD.
 2 The remaining balance as of ~~June 30, 2000~~ June 30, 2002, of unexpended
 3 appropriation in Operating Expense, Professional Fees and Capital Outlay in
 4 Section 3 of this Act shall be carried forward into fiscal year ~~2000-01~~ 2002-
 5 2003 to be used for the same purposes. The provisions of this section shall be
 6 in effect only from July 1, 2001 through June 30, 2003.

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 8 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 9 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. JUDICIAL
 10 RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$18,025~~ \$19,122 in the ~~1999-~~
 11 ~~2000~~ 2001-2002 fiscal year, and ~~\$18,565~~ \$19,696 in the ~~2000-01~~ 2002-2003
 12 fiscal year may be transferred from the Judges Retirement Fund to the Arkansas
 13 Public Employees Retirement System Fund for costs incurred by the Arkansas
 14 Public Employees Retirement System in administering the Judicial Retirement
 15 System. Such transfer request shall be made to the Chief Fiscal Officer of
 16 the State, and upon his approval, said transfer shall be made on his books and
 17 those of the Treasurer of the State and the Auditor of the State. The
 18 provisions of this section shall be in effect only from July 1, 2001 through
 19 June 30, 2003.

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 21 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 22 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. EXEMPTION FROM
 23 PRIOR REVIEW. The Arkansas Public Employees Retirement System is hereby
 24 exempted from seeking prior review by the Arkansas Legislative Council with
 25 regard to transfers between the Benefits line item in the Cash Fund
 26 Appropriation and the Investment/Benefits/Refund line item in the Operational
 27 Appropriation which are specifically related to transfers necessitated by the
 28 changes in retirees' selection of the method of payment of retirement
 29 benefits. All other provisions of Arkansas Code §19-4-522 shall be
 30 applicable. The provisions of this section shall be in effect only from July
 31 1, 2001 through June 30, 2003.

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 33 SECTION 13. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 34 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
 35 appropriations as provided in this Act, the agency disbursing officer shall
 36 monitor the level of fund balances in relation to expenditures on a monthly

1 basis. If any proposed expenditures would cause a fund balance to decline to
 2 less than fifty percent (50%) of the balance available on July 1, 2001, the
 3 disbursing officer shall immediately notify the executive head of the agency.

4 Prior to any obligations being made under these circumstances, the agency
 5 head shall file written documentation with the Chief Fiscal Officer of the
 6 State requesting approval of the expenditures. Such documentation shall
 7 provide sufficient financial data to justify the expenditures and shall
 8 include the following:

9 1) a plan that clearly indicates the specific fiscal impact of such
 10 expenditures on the fund balance.

11 2) information clearly indicating and explaining what programs would be cut or
 12 any other measures to be taken by the agency to restore the fund balance.

13 3) the extent to which any of the planned expenditures are for one-time costs
 14 or one-time purchase of capitalized items.

15 4) a statement certifying that the expenditure of fund balances will not
 16 jeopardize the financial health of the agency, nor result in a permanent
 17 depletion of the fund balance.

18 (B) The Chief Fiscal Officer of the State shall review the request and
 19 approve or disapprove all or any part of the request , after having sought
 20 prior review by the Legislative Council.

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 22 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 23 by this act shall be limited to the appropriation for such agency and funds
 24 made available by law for the support of such appropriations; and the
 25 restrictions of the State Purchasing Law, the General Accounting and Budgetary
 26 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures
 27 and Restrictions Act, or their successors, and other fiscal control laws of
 28 this State, where applicable, and regulations promulgated by the Department of
 29 Finance and Administration, as authorized by law, shall be strictly complied
 30 with in disbursement of said funds.

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 32 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General Assembly
 33 that any funds disbursed under the authority of the appropriations contained
 34 in this act shall be in compliance with the stated reasons for which this act
 35 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 36 and Legislative Recommendations contained in the budget manuals prepared by

1 the Department of Finance and Administration, letters, or summarized oral
2 testimony in the official minutes of the Arkansas Legislative Council or Joint
3 Budget Committee which relate to its passage and adoption.

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5 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General
6 Assembly, that the Constitution of the State of Arkansas prohibits the
7 appropriation of funds for more than a two (2) year period; that the
8 effectiveness of this Act on July 1, 2001 is essential to the operation of the
9 agency for which the appropriations in this Act are provided, and that in the
10 event of an extension of the Regular Session, the delay in the effective date
11 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
12 administration and provision of essential governmental programs. Therefore, an
13 emergency is hereby declared to exist and this Act being necessary for the
14 immediate preservation of the public peace, health and safety shall be in full
15 force and effect from and after July 1, 2001.

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18 **APPROVED: 3/5/2001**
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