

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.

**Act 1223 of the Regular Session**

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

*As Engrossed: H3/6/09 H4/2/09*

**A Bill**

HOUSE BILL 1120

5 By: Joint Budget Committee  
6  
7

**For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
11 PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE FISCAL  
12 YEAR ENDING JUNE 30, 2010; AND FOR OTHER  
13 PURPOSES.  
14  
15

**Subtitle**

16 AN ACT FOR THE ARKANSAS PUBLIC  
17 EMPLOYEES RETIREMENT SYSTEM  
18 APPROPRIATION FOR THE 2009-2010 FISCAL  
19 YEAR.  
20  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. REGULAR SALARIES - PUBLIC EMPLOYEE RETIREMENT SYSTEM. There is  
26 hereby established for the Arkansas Public Employees Retirement System for  
27 the 2009-2010 fiscal year, the following maximum number of regular employees  
28 whose salaries shall be governed by the provisions of the Uniform  
29 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or  
30 its successor, and all laws amendatory thereto. Provided, however, that any  
31 position to which a specific maximum annual salary is set out herein in  
32 dollars, shall be exempt from the provisions of said Uniform Classification  
33 and Compensation Act. All persons occupying positions authorized herein are  
34 hereby governed by the provisions of the Regular Salaries Procedures and  
35 Restrictions Act (Arkansas Code §21-5-101), or its successor.



Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2009-2010
6	(1) U014U	APERS DIRECTOR	1	\$160,650
7	(2) U078U	APERS DEPUTY DIRECTOR	1	\$102,727
8	(3) A003N	SENIOR INVESTMENT ANALYST	1	GRADE N910
9	(4) N096N	APERS ASST DIRECTOR OF FINANCE	1	GRADE N906
10	(5) N159N	APERS INVESTMENT OPERATIONS MANAGER	1	GRADE N901
11	(6) D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
12	(7) G047C	ATTORNEY SPECIALIST	1	GRADE C126
13	(8) A027C	ACCOUNTING OPERATIONS MANAGER	1	GRADE C125
14	(9) G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
15	(10) D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
16	(11) A034C	RETIREMENT SECTION MANAGER	4	GRADE C123
17	(12) D044C	SYSTEMS ANALYST	1	GRADE C122
18	(13) A052C	ACCOUNTING COORDINATOR	1	GRADE C121
19	(14) A066C	INTERNAL AUDITOR	1	GRADE C119
20	(15) A062C	RETIREMENT COORDINATOR	5	GRADE C119
21	(16) A082C	ACCOUNTANT II	7	GRADE C117
22	(17) D071C	COMPUTER SUPPORT ANALYST	0	GRADE C117
23	(18) A079C	INVESTMENT ANALYST	4	GRADE C117
24	(19) A078C	RETIREMENT COUNSELOR	14	GRADE C117
25	(20) P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
26	(21) A083C	RETIREMENT ANALYST	4	GRADE C116
27	(22) X115C	SOCIAL SECURITY ANALYST	1	GRADE C116
28	(23) D077C	HELP DESK SPECIALIST	2	GRADE C115
29	(24) C056C	ADMINISTRATIVE SPECIALIST III	3	GRADE C112
30	(25) R037C	BENEFITS TECHNICIAN	12	GRADE C112
31	(26) C073C	ADMINISTRATIVE SPECIALIST II	4	GRADE C109
32	MAX. NO. OF EMPLOYEES		74	

33

34 SECTION 2. EXTRA HELP - PUBLIC EMPLOYEE RETIREMENT SYSTEM. There is  
 35 hereby authorized, for the Arkansas Public Employees Retirement System for  
 36 the 2009-2010 fiscal year, the following maximum number of part-time or

1 temporary employees, to be known as "Extra Help", payable from funds  
 2 appropriated herein for such purposes: six (6) temporary or part-time  
 3 employees, when needed, at rates of pay not to exceed those provided in the  
 4 Uniform Classification and Compensation Act, or its successor, or this act  
 5 for the appropriate classification.

6

7 SECTION 3. APPROPRIATION - PUBLIC EMPLOYEE RETIREMENT OPERATIONS. There is  
 8 hereby appropriated, to the Arkansas Public Employees Retirement System, to  
 9 be payable from the Arkansas Public Employees' Retirement System Fund, for  
 10 personal services and operating expenses of the Arkansas Public Employees  
 11 Retirement System for the fiscal year ending June 30, 2010, the following:

12

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2009-2010</u>
15 (01) REGULAR SALARIES	\$ 3,090,466
16 (02) EXTRA HELP	75,000
17 (03) PERSONAL SERVICES MATCHING	991,467
18 (04) MAINT. & GEN. OPERATION	
19 (A) OPER. EXPENSE	1,607,473
20 (B) CONF. & TRAVEL	42,500
21 (C) PROF. FEES	5,825,171
22 (D) CAP. OUTLAY	30,000
23 (E) DATA PROC.	0
24 (05) BENEFITS-NON EMPLOYEE	36,000,000
25 (06) REFUNDS/REIMBURSEMENTS	<u>49,000,000</u>
26 TOTAL AMOUNT APPROPRIATED	<u>\$ 96,662,077</u>

27

28 SECTION 4. APPROPRIATION - PUBLIC EMPLOYEE RETIREMENT CASH. There is  
 29 hereby appropriated, to the Arkansas Public Employees Retirement System, to  
 30 be payable from cash funds as defined by Arkansas Code 19-4-801 of the  
 31 Arkansas Public Employees Retirement System, for payment to beneficiaries by  
 32 check or wired transfer by the Arkansas Public Employees Retirement System  
 33 for the fiscal year ending June 30, 2010, the following:

34

35 ITEM	FISCAL YEAR
36 <u>NO.</u>	<u>2009-2010</u>

1 (01) BENEFITS \$ 335,000,000

2

3 SECTION 5. APPROPRIATION - STATE POLICE RETIREMENT OPERATIONS. There is  
 4 hereby appropriated, to the Arkansas Public Employees Retirement System, to  
 5 be payable from the State Police Retirement Fund, for operating expenses of  
 6 the State Police Retirement System by the Arkansas Public Employees  
 7 Retirement System for the fiscal year ending June 30, 2010, the following:

8

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2009-2010</u>
11 (01) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	\$ 77,610
13 (B) CONF. & TRAVEL	0
14 (C) PROF. FEES	265,950
15 (D) CAP. OUTLAY	0
16 (E) DATA PROC.	0
17 (02) BENEFITS-NON EMPLOYEE	10,000,000
18 (03) REFUNDS/REIMBURSEMENTS	<u>10,000,000</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$ 20,343,560</u>

20

21 SECTION 6. APPROPRIATION - STATE POLICE RETIREMENT CASH. There is hereby  
 22 appropriated, to the Arkansas Public Employees Retirement System, to be  
 23 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas  
 24 Public Employees Retirement System, for payment to beneficiaries of the State  
 25 Police Retirement System by check or wired transfer by the Arkansas Public  
 26 Employees Retirement System for the fiscal year ending June 30, 2010, the  
 27 following:

28

29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2009-2010</u>
31 (01) BENEFITS	<u>\$ 25,000,000</u>

32

33 SECTION 7. APPROPRIATION - JUDICIAL RETIREMENT OPERATIONS. There is hereby  
 34 appropriated, to the Arkansas Public Employees Retirement System, to be  
 35 payable from the Judges Retirement Fund, for operating expenses of the  
 36 Judicial Retirement System by the Arkansas Public Employees Retirement System

1 for the fiscal year ending June 30, 2010, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2009-2010</u>
5 (01) MAINT. & GEN. OPERATION	
6 (A) OPER. EXPENSE	\$ 40,510
7 (B) CONF. & TRAVEL	0
8 (C) PROF. FEES	122,879
9 (D) CAP. OUTLAY	0
10 (E) DATA PROC.	0
11 (02) BENEFITS-NON EMPLOYEE	4,000,000
12 (03) REFUNDS/REIMBURSEMENTS	<u>5,000,000</u>
13 TOTAL AMOUNT APPROPRIATED	<u>\$ 9,163,389</u>

14

15 SECTION 8. APPROPRIATION - JUDICIAL RETIREMENT CASH. There is hereby  
 16 appropriated, to the Arkansas Public Employees Retirement System, to be  
 17 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas  
 18 Public Employees Retirement System, for payment to beneficiaries of the  
 19 Judicial Retirement System by check or wired transfer by the Arkansas Public  
 20 Employees Retirement System for the fiscal year ending June 30, 2010, the  
 21 following:

22

23 ITEM	FISCAL YEAR
24 <u>NO.</u>	<u>2009-2010</u>
25 (01) BENEFITS	<u>\$ 15,000,000</u>

26

27 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUDICIAL  
 29 RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$26,014~~ \$27,598 in the ~~2007-~~  
 30 ~~2008~~ 2009-2010 fiscal year may be transferred from the Judges Retirement Fund  
 31 to the Arkansas Public Employees Retirement System Fund for costs incurred by  
 32 the Arkansas Public Employees Retirement System in administering the Judicial  
 33 Retirement System. Such transfer request shall be made to the Chief Fiscal  
 34 Officer of the State, and upon his approval, said transfer shall be made on  
 35 his books and those of the Treasurer of the State and the Auditor of the  
 36 State.

1           The provisions of this section shall be in effect only from July 1,  
2 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

3  
4           SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
6 POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$43,267~~ \$45,902 in the  
7 ~~2007-2008~~ 2009-2010 fiscal year may be transferred from the State Police  
8 Retirement Fund to the Arkansas Public Employees Retirement System Fund for  
9 costs incurred by the Arkansas Public Employees Retirement System in  
10 administering the State Police Retirement System. Such transfer request  
11 shall be made to the Chief Fiscal Officer of the State, and upon his  
12 approval, said transfer shall be made on his books and those of the Treasurer  
13 of the State and the Auditor of the State.

14           The provisions of this section shall be in effect only from July 1, ~~2007~~  
15 2009 through June 30, ~~2009~~ 2010.

16  
17           SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXEMPTION  
19 FROM PRIOR REVIEW. The Arkansas Public Employees Retirement System is hereby  
20 exempted from seeking prior review by the Arkansas Legislative Council with  
21 regard to transfers between the Benefits line item in the Cash Fund  
22 Appropriation and the Benefits-Non-Employee line item in the Operations  
23 Appropriation which are specifically related to transfers necessitated by the  
24 changes in retirees' selection of the method of payment of retirement  
25 benefits. All other provisions of Arkansas Code §19-4-522 shall be  
26 applicable.

27           The provisions of this section shall be in effect only from July 1,  
28 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

29  
30           SECTION 12. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
31 by this act shall be limited to the appropriation for such agency and funds  
32 made available by law for the support of such appropriations; and the  
33 restrictions of the State Procurement Law, the General Accounting and  
34 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
35 Procedures and Restrictions Act, or their successors, and other fiscal  
36 control laws of this State, where applicable, and regulations promulgated by

1 the Department of Finance and Administration, as authorized by law, shall be  
2 strictly complied with in disbursement of said funds.

3  
4 SECTION 13. LEGISLATIVE INTENT. It is the intent of the General Assembly  
5 that any funds disbursed under the authority of the appropriations contained  
6 in this act shall be in compliance with the stated reasons for which this act  
7 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
8 and Legislative Recommendations contained in the budget manuals prepared by  
9 the Department of Finance and Administration, letters, or summarized oral  
10 testimony in the official minutes of the Arkansas Legislative Council or  
11 Joint Budget Committee which relate to its passage and adoption.

12  
13 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the General  
14 Assembly, that the Constitution of the State of Arkansas prohibits the  
15 appropriation of funds for more than a one (1) year period; that the  
16 effectiveness of this Act on July 1, 2009 is essential to the operation of  
17 the agency for which the appropriations in this Act are provided, and that in  
18 the event of an extension of the Regular Session, the delay in the effective  
19 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
20 proper administration and provision of essential governmental programs.  
21 Therefore, an emergency is hereby declared to exist and this Act being  
22 necessary for the immediate preservation of the public peace, health and  
23 safety shall be in full force and effect from and after July 1, 2009.

24  
25 */s/ Joint Budget Committee*

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27 **APPROVED: 4/8/2009**