

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Joint Budget Committee**

# A Bill

**ACT 1310 OF 1993**  
**HOUSE BILL 1852**

## 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 1995; AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT FOR THE ARKANSAS PUBLIC EMPLOYEES RETIREMENT  
15 SYSTEM APPROPRIATION."

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

19 SECTION 1. REGULAR SALARIES. There is hereby established for the  
20 Arkansas Public Employees Retirement System for the 1993-95 biennium, the  
21 following maximum number of regular employees whose salaries shall be governed  
22 by the provisions of the Uniform Classification and Compensation Act (Arkansas  
23 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
24 Provided, however, that any position to which a specific maximum annual salary  
25 is set out herein in dollars, shall be exempt from the provisions of said  
26 Uniform Classification and Compensation Act. All persons occupying positions  
27 authorized herein are hereby governed by the provisions of the Regular  
28 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
29 successor.

Item	Class	Title	No. of Employees	Maximum Annual Salary Rate	
				1993-94	1994-95
35	(1) 9977 PERS	DIRECTOR	1	\$ 69,967	\$ 72,415
36	(2) 606Z PERS	ASSISTANT DIRECTOR	1	GRADE 26	

1	(3) 988Z ASSOC DIR - INVESTMENTS	1	GRADE 24
2	(4) D046 SYSTEMS APPLICATIONS SUPERVISOR	1	GRADE 23
3	608Z PERS PROGRAM MGR/RETIREMENT	1	
4	610Z PERS PROGRAM MGR/ADMIN SVCS	1	
5	(5) R017 APERS RESEARCH & SUPPORT MANAGER	1	GRADE 22
6	A119 RETIREMENT PRG MGR/MEMBER & RECORDS	1	
7	(6) A132 APERS MANAGER/SUPERVISOR MEMBERSHIP	1	GRADE 21
8	A008 ACCOUNTING SUPV II	1	
9	A097 RETIREMENT COUNSELOR SUPERVISOR	1	
10	A164 RETIREMENT FUND INVESTMENT SUPV	1	
11	D036 SR PROGRAMMER/ANALYST	1	
12	(7) A056 INTERNAL AUDITOR	1	GRADE 20
13	(8) A060 INVESTMENT SPECIALIST	3	GRADE 19
14	A113 RETIREMENT COUNSELOR	6	
15	R030 ASST PERSONNEL MANAGER	1	
16	(9) A111 ACCOUNTANT	1	GRADE 18
17	R264 MANAGEMENT PROJECT ANALYST I	2	
18	(10) R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17
19	(11) R440 BUSINESS CONTROLLER II	1	GRADE 16
20	(12) A108 ACCOUNTING TECHNICIAN II	2	GRADE 15
21	A092 REPORTING SPECIALIST III	3	
22	(13) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
23	(14) A091 REPORTING SPECIALIST II	3	GRADE 13
24	K153 SECRETARY II	4	
25	(15) A106 ACCOUNTING TECHNICIAN I	1	GRADE 12
26	(16) A089 REPORTING SPECIALIST I	1	GRADE 11
27	K155 SECRETARY I	<u>2</u>	
28	MAX NO. OF EMPLOYEES	46	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas Public Employees Retirement System for the 1993-95 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: Four (4) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its

1 successor, or this act for the appropriate classification.

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3 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the  
4 Arkansas Public Employees Retirement System, to be payable from the Arkansas  
5 Public Employees' Retirement System Fund, for personal services and operating  
6 expenses of the Arkansas Public Employees Retirement System for the biennial  
7 period ending June 30, 1995, the following:

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9 ITEM	FISCAL YEARS	
10 NO.	1993-94	1994-95
11 (01) REGULAR SALARIES	\$ 1,202,352	\$ 1,244,718
12 (02) EXTRA HELP	6,500	6,500
13 (03) PERSONAL SERV MATCHING	319,721	327,410
14 (04) MAINT. & GEN. OPERATION		
15 (A) OPER. EXPENSE \$	342,451	\$ 342,451
16 (B) CONF. & TRVL.	20,000	20,000
17 (C) PROF. FEES	5,500,000	5,500,000
18 (D) CAP. OUTLAY	139,800	32,000
19 (E) DATA PROC.	<u>0</u>	<u>0</u>
20 TOTAL MAINT. & GEN. OPER.	6,002,251	5,894,451
21 (05) INVESTMENT/BENEFIT/REFUND	100,000,000	100,000,000
22 (06) DATA PROCESSING SERVICES	<u>2,000,000</u>	<u>2,000,000</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$ 109,530,824</u>	<u>\$ 109,473,079</u>

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25 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the  
26 Arkansas Public Employees Retirement System, to be payable from cash funds as  
27 defined by Arkansas Code 19-4-801 of the Arkansas Public Employees Retirement  
28 System, for payment to beneficiaries by check or wire transfer of the Arkansas  
29 Public Employees Retirement System for the biennial period ending June 30,  
30 1995, the following:

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32 ITEM	FISCAL YEARS	
33 NO.	1993-94	1994-95
34 (01) BENEFITS	<u>\$ 75,000,000</u>	<u>\$ 75,000,000</u>

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1 SECTION 5. APPROPRIATIONS - STATE POLICE RETIREMENT. There is hereby  
2 appropriated, to the Arkansas Public Employees Retirement System, to be  
3 payable from the State Police Retirement Fund, for operating expenses,  
4 investments, refunds and reimbursement of the Arkansas Public Employees  
5 Retirement System for administration of the State Police Retirement System for  
6 ~~the biennial period ending June 30, 1995, the following:~~

8 ITEM	FISCAL YEARS	
9 NO.	1993-94	1994-95
10 (01) MAINT. & GEN. OPERATION		
11 (A) OPER. EXPENSE \$	12,000 \$	12,000
12 (B) CONF. & TRVL.	0	0
13 (C) PROF. FEES	350,000	350,000
14 (D) CAP. OUTLAY	0	0
15 (E) DATA PROC.	<u>0</u>	<u>0</u>
16 TOTAL MAINT. & GEN. OPER.	\$ 362,000	\$ 362,000
17 (02) INVESTMENT/BENEFIT/REFUND	25,250,000	25,250,000
18 (03) DATA PROCESSING SERVICES	<u>28,000</u>	<u>28,000</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$ 25,640,000</u>	<u>\$ 25,640,000</u>

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21 SECTION 6. APPROPRIATIONS - STATE POLICE RETIREMENT - CASH. There is  
22 hereby 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 payments to beneficiaries of the State  
25 Police Retirement System by check or wire transfer for the biennial period  
26 ~~ending June 30, 1995, the following:~~

28 ITEM	FISCAL YEARS	
29 NO.	1993-94	1994-95
30 (01) BENEFITS	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>

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32 SECTION 7. APPROPRIATIONS - JUDICIAL RETIREMENT SYSTEM. There is hereby  
33 appropriated, to the Arkansas Public Employees Retirement System, to be  
34 payable from the Judges Retirement Fund, for operating expenses, investments,  
35 benefits, refunds and reimbursement of the Arkansas Public Employees

1 ~~Retirement System for administration of the Judicial Retirement System for the~~  
2 biennial period ending June 30, 1995, the following:

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4 ITEM	FISCAL YEARS	
5 NO.	1993-94	1994-95
6 (01) MAINT. & GEN. OPERATION		
7 (A) OPER. EXPENSE \$	10,000 \$	10,000
8 (B) CONF. & TRVL.	0	0
9 (C) PROF. FEES	105,800	109,700
10 (D) CAP. OUTLAY	4,000	0
11 (E) DATA PROC.	<u>0</u>	<u>0</u>
12 TOTAL MAINT. & GEN. OPER.	\$ 119,800	\$ 119,700
13 (02) INVESTMENTS/BENEFITS/REFU	8,000,000	8,000,000
14 (03) DATA PROCESSING SERVICES	<u>17,500</u>	<u>17,500</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$ 8,137,300</u>	<u>\$ 8,137,200</u>

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17 SECTION 8. APPROPRIATIONS - JUDICIAL RETIREMENT - CASH. There is hereby  
18 appropriated, to the Arkansas Public Employees Retirement System, to be  
19 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas  
20 Public Employees Retirement System, for payments to beneficiaries of the  
21 ~~Judicial Retirement System by check or wire transfer for the biennial period~~  
22 ending June 30, 1995, the following:

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24 ITEM	FISCAL YEARS	
25 NO.	1993-94	1994-95
26 (01) BENEFITS	<u>\$ 3,500,000</u>	<u>\$ 3,500,000</u>

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28 SECTION 9. A sum not to exceed \$25,000 in the 1993-94 fiscal year, and  
29 \$25,000 in the 1994-95 fiscal year may be transferred from the State Police  
30 Retirement Fund to the Arkansas Public Employees Retirement System Fund for  
31 costs incurred by the Arkansas Public Employees Retirement System. Such  
32 transfer request shall be made to the Chief Fiscal Officer of the State, and  
33 upon his approval, said transfer shall be made on his books and those of the  
34 Treasurer of the State and the Auditor of the State.

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1 SECTION 10. The Arkansas Public Employees Retirement System is hereby  
2 exempted from seeking prior review by the Arkansas Legislative Council with  
3 regard to Maintenance and General Operation appropriation classification  
4 transfers within appropriations provided in this Act, which are specifically  
5 related to transfers necessitated by any contractual agreements entered into  
6 for electronic transfer of funds services. All other provisions of Arkansas  
7 Code 19-4-522 shall be applicable.

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9 SECTION 11. CARRY FORWARD. The remaining balance as of June 30, 1994,  
10 of unexpended appropriation in Operating Expense and Professional Fees in  
11 Section 3 of this Act shall be carried forward into fiscal year 1994-95 to be  
12 used for the same purposes.

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14 SECTION 12. A sum not to exceed \$15,000 in the 1993-94 fiscal year, and  
15 \$15,000 in the 1994-95 fiscal year may be transferred from the Judges  
16 Retirement Fund to the Arkansas Public Employees Retirement System Fund for  
17 costs incurred by the Arkansas Public Employees Retirement System in  
18 administering the Judicial Retirement System. Such transfer request shall be  
19 made to the Chief Fiscal Officer of the State, and upon his approval, said  
20 transfer shall be made on his books and those of the Treasurer of the State  
21 and the Auditor of the State.

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23 SECTION 13. The Arkansas Public Employees Retirement System is hereby  
24 authorized to request the Department of Finance and Administration to transfer  
25 the balance remaining in the Social Security Requirement Fund (TSS) to the  
26 Arkansas Public Employees Retirement System Fund (TSR).

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28 SECTION 14. *Before paying amounts in excess of \$250,000 during any*  
29 *fiscal year to investment advisors from the appropriation provided in item*  
30 *(01)(C) of Section 5 herein, the Director of the Public Employees Retirement*  
31 *System shall obtain prior approval from the Board of Trustees of the Arkansas*  
32 *State Police Retirement System.*

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THE FOLLOWING SECTION WAS DISAPPROVED BY THE GOVERNOR

34 ~~SECTION 15. There is hereby appropriated, to the Arkansas Public~~  
35 ~~Employees Retirement System, to be payable from the Arkansas Public Employees~~

1 ~~Retirement System Fund, for the construction and equipping of modules A4 and~~  
2 ~~A5 of the Capitol Mall Facility for the biennial period ending June 30, 1995,~~  
3 ~~the sum of .....~~\$14,800,000.  
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5 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
6 authorized by this Act shall be limited to the appropriation for such agency  
7 and funds made available by law for the support of such appropriations; and  
8 the restrictions of the State Purchasing Law, the General Accounting and  
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
10 Procedures and Restrictions Act, or their successors, and other fiscal control  
11 laws of this State, where applicable, and regulations promulgated by the  
12 Department of Finance and Administration, as authorized by law, shall be  
13 strictly complied with in disbursement of said funds.  
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15 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General  
16 Assembly that any funds disbursed under the authority of the appropriations  
17 contained in this Act shall be in compliance with the stated reasons for which  
18 this Act was adopted, as evidenced by the Agency Requests, Executive  
19 Recommendations and Legislative Recommendations contained in the budget  
20 manuals prepared by the Department of Finance and Administration, letters, or  
21 summarized oral testimony in the official minutes of the Arkansas Legislative  
22 Council or Joint Budget Committee which relate to its passage and adoption.  
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24 SECTION 18. CODE. All provisions of this Act of a general and  
25 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the  
26 Arkansas Code Revision Commission shall incorporate the same in the Code.  
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28 SECTION 19. SEVERABILITY. If any provision of this Act or the  
29 application thereof to any person or circumstance is held invalid, such  
30 invalidity shall not affect other provisions or applications of the Act which  
31 can be given effect without the invalid provision or application, and to this  
32 end the provisions of this Act are declared to be severable.  
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34 SECTION 20. GENERAL REPEALER. All laws and parts of laws in conflict  
35 with this Act are hereby repealed.

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SECTION 21. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993.

*/s/John E. Miller*

APPROVED: 4/26/93



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