

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

# A Bill

ACT 74 OF 1997  
HOUSE BILL 1274

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
10 OPERATING EXPENSES FOR THE ARKANSAS PUBLIC EMPLOYEES  
11 RETIREMENT SYSTEM FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 1999; AND FOR OTHER PURPOSES."  
13

## Subtitle

14 "AN ACT FOR THE ARKANSAS PUBLIC  
15 EMPLOYEES RETIREMENT SYSTEM  
16 APPROPRIATION FOR THE 1997-99 BIENNIUM."  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. REGULAR SALARIES. There is hereby established for the  
22 Arkansas Public Employees Retirement System for the 1997-99 biennium, the  
23 following maximum number of regular employees whose salaries shall be governed  
24 by the provisions of the Uniform Classification and Compensation Act (Arkansas  
25 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
26 Provided, however, that any position to which a specific maximum annual salary  
27 is set out herein in dollars, shall be exempt from the provisions of said  
28 Uniform Classification and Compensation Act. All persons occupying positions  
29 authorized herein are hereby governed by the provisions of the Regular  
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
31 successor.  
32

		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees 1997-98 1998-99</del>

1	(1)	9977 PERS DIRECTOR	1	\$ 85,000	\$ 90,000
2	(2)	9029 PERS ASST DIRECTOR	1	\$ 65,000	\$ 66,820
3	(3)	9028 PERS ASSOC DIR - INVESTMENTS	1	\$ 55,000	\$ 56,540
4	(4)	D046 SYSTEMS APPLICATIONS SUPERVISOR	1		GRADE 23
5		608Z PERS PROGRAM MGR/RETIREMENT	1		
6		610Z PERS PROG MGR/ADMIN SVCS	1		
7		R017 APERS MEMBER SERVICES MGR	1		
8	(5)	A132 APERS MANAGER/SUPERVISOR MEMBERSHIP	2		GRADE 21
9		A008 ACCOUNTING SUPERVISOR II	1		
10		A097 RETIREMENT COUNSELOR SUPERVISOR	1		
11		A164 RETIREMENT FUND INVESTMENT SUPV	1		
12		D036 SR PROGRAMMER/ANALYST	1		
13	(6)	D121 USER SUPPORT ANALYST	1		GRADE 20
14		A056 INTERNAL AUDITOR	1		
15	(7)	A060 INVESTMENT SPECIALIST	3		GRADE 19
16		A113 RETIREMENT COUNSELOR	6		
17		R030 ASST PERSONNEL MANAGER	1		
18	(8)	A111 ACCOUNTANT	1		GRADE 18
19		R264 MANAGEMENT PROJECT ANALYST I	2		
20	(9)	R010 ADMINISTRATIVE ASSISTANT II	1		GRADE 17
21	(10)	R440 BUSINESS CONTROLLER II	1		GRADE 16
22	(11)	A108 ACCOUNTING TECHNICIAN II	1		GRADE 15
23		A092 REPORTING SPECIALIST III	4		
24	(12)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1		GRADE 14
25	(13)	A091 REPORTING SPECIALIST II	3		GRADE 13
26		K153 SECRETARY II	4		
27	(14)	A106 ACCOUNTING TECHNICIAN I	1		GRADE 12
28	(15)	A089 REPORTING SPECIALIST I	1		GRADE 11
29		K155 SECRETARY I	<u>2</u>		
30		MAX NO. OF EMPLOYEES	47		

31

32 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas  
 33 Public Employees Retirement System for the 1997-99 biennium, the following  
 34 maximum number of part-time or temporary employees, to be known as "Extra  
 35 Help", payable from funds appropriated herein for such purposes: four (4)

1 temporary or part-time employees, when needed, at rates of pay not to exceed  
 2 those provided in the Uniform Classification and Compensation Act, or its  
 3 successor, or this act for the appropriate classification.

4

5 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the  
 6 Arkansas Public Employees Retirement System, to be payable from the Arkansas  
 7 Public Employees' Retirement System Fund, for personal services and operating  
 8 expenses of the Arkansas Public Employees Retirement System for the biennial  
 9 period ending June 30, 1999, the following:

10

<del>ITEM</del>		<del>FISCAL YEARS</del>	
12 NO.		1997-98	1998-99
13 (01)	REGULAR SALARIES	\$ 1,452,251	\$ 1,494,467
14 (02)	EXTRA HELP	9,000	9,000
15 (03)	PERSONAL SERV MATCHING	399,455	406,859
16 (04)	MAINT. & GEN. OPERATION		
17	(A) OPER. EXPENSE	633,393	642,393
18	(B) CONF. & TRVL.	20,000	20,000
19	(C) PROF. FEES	5,500,000	5,500,000
20	(D) CAP. OUTLAY	26,000	26,000
21	(E) DATA PROC.	0	0
22 (05)	INVESTMENT/BENEFIT/REFUND	100,000,000	100,000,000
23 (06)	DATA PROCESSING SERVICES	<u>2,000,000</u>	<u>2,000,000</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 110,040,099</u>	<u>\$ 110,098,719</u>

25

26 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the  
 27 Arkansas Public Employees Retirement System, to be payable from cash funds as  
 28 defined by Arkansas Code 19-4-801 of the Arkansas Public Employees Retirement  
 29 System, for payment to beneficiaries by check or wired transfer by the  
 30 Arkansas Public Employees Retirement System for the biennial period ending  
 31 June 30, 1999, the following:

32

<del>ITEM</del>		<del>FISCAL YEARS</del>	
34 NO.		1997-98	1998-99
35 (01)	BENEFITS	<u>\$ 100,000,000</u>	<u>\$ 125,000,000</u>

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2 SECTION 5. APPROPRIATIONS - STATE POLICE RETIREMENT. There is hereby  
 3 appropriated, to the Arkansas Public Employees Retirement System, to be  
 4 payable from the State Police Retirement Fund, for operating expenses,  
 5 investments, benefits, refunds, and reimbursement of the Arkansas Public  
 6 Employees Retirement System for administration costs for the biennial period  
 7 ending June 30, 1999, the following:

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9 ITEM	FISCAL YEARS	
10 NO.	1997-98	1998-99
11 (01) MAINT. & GEN. OPERATION		
12 (A) OPER. EXPENSE	12,300	12,610
13 (B) CONF. & TRVL.	0	0
14 (C) PROF. FEES	320,950	320,950
15 (D) CAP. OUTLAY	0	0
16 (E) DATA PROC.	0	0
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>\$ 25,611,250</u>	<u>\$ 25,611,560</u>

20

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, 1999, the following:

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28 ITEM	FISCAL YEARS	
29 NO.	1997-98	1998-99
30 (01) BENEFITS	<u>\$ 8,000,000</u>	<u>\$ 9,000,000</u>

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32 SECTION 7. APPROPRIATIONS - JUDICIAL RETIREMENT. 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 administrative costs for the biennial period ending June  
 2 ~~30, 1999, the following:~~

		FISCAL YEARS	
4 ITEM		1997-98	1998-99
5 NO.			
6 (01)	MAINT. & GEN. OPERATION		
7	(A) OPER. EXPENSE	10,250	10,510
8	(B) CONF. & TRVL.	0	0
9	(C) PROF. FEES	144,300	152,879
10	(D) CAP. OUTLAY	0	0
11	(E) DATA PROC.	0	0
12	(02) INVESTMENTS/BENEFITS/REFUND	\$ 8,000,000	\$ 8,000,000
13	(03) DATA PROCESSING SERVICES	<u>17,500</u>	<u>17,500</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 8,172,050</u>	<u>\$ 8,180,889</u>

15  
 16 SECTION 8. APPROPRIATIONS - JUDICIAL RETIREMENT - CASH. There is hereby  
 17 appropriated, to the Arkansas Public Employees Retirement System, to be  
 18 payable from cash funds as defined by Arkansas Code 19-4-801, for payments to  
 19 beneficiaries of the Judicial Retirement System by check or wire transfer for  
 20 ~~the biennial period ending June 30, 1999, the following:~~

		FISCAL YEARS	
22 ITEM		1997-98	1998-99
23 NO.			
24 (01)	BENEFITS	<u>\$ 4,000,000</u>	<u>\$ 5,000,000</u>

25  
 26 SECTION 9. SPECIAL LANGUAGE. A sum not to exceed \$28,375 in the  
 27 1997-98 fiscal year, and \$29,225 in the 1998-99 fiscal year may be transferred  
 28 from the State Police Retirement Fund to the Arkansas Public Employees  
 29 Retirement System Fund for costs incurred by the Arkansas Public Employees  
 30 Retirement System. Such transfer request shall be made to the Chief Fiscal  
 31 Officer of the State, and upon his approval, said transfer shall be made on  
 32 his books and those of the Treasurer of the State and the Auditor of the  
 33 State.

34  
 35 SECTION 10. SPECIAL LANGUAGE. The Arkansas Public Employees Retirement

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

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8 SECTION 11. SPECIAL LANGUAGE. CARRY FORWARD. The remaining balance as  
9 of June 30, 1998, of unexpended appropriation in Operating Expense,  
10 Professional Fees and Capital Outlay in Section 3 of this Act shall be carried  
11 forward into fiscal year 1998-99 to be used for the same purposes.

12  
13 SECTION 12. SPECIAL LANGUAGE. A sum not to exceed \$17,000 in the  
14 1997-98 fiscal year, and \$17,500 in the 1998-99 fiscal year may be transferred  
15 from the Judges Retirement Fund to the Arkansas Public Employees Retirement  
16 System Fund for costs incurred by the Arkansas Public Employees Retirement  
17 System in administering the Judicial Retirement System. Such transfer request  
18 shall be made to the Chief Fiscal Officer of the State, and upon his approval,  
19 said transfer shall be made on his books and those of the Treasurer of the  
20 State and the Auditor of the State.

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

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32 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General  
33 Assembly that any funds disbursed under the authority of the appropriations  
34 contained in this Act shall be in compliance with the stated reasons for which  
35 this Act was adopted, as evidenced by the Agency Requests, Executive

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

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

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10 SECTION 16. SEVERABILITY. If any provision of this Act or the  
 11 application thereof to any person or circumstance is held invalid, such  
 12 invalidity shall not affect other provisions or applications of the Act which  
 13 can be given effect without the invalid provision or application, and to this  
 14 end the provisions of this Act are declared to be severable.

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

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19 SECTION 18. EMERGENCY CLAUSE. It is hereby found and determined by the  
 20 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
 21 prohibits the appropriation of funds for more than a two (2) year period; that  
 22 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
 23 the agency for which the appropriations in this Act are provided, and that in  
 24 the event of an extension of the Regular Session, the delay in the effective  
 25 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
 26 proper administration and provision of essential governmental programs.  
 27 Therefore, an emergency is hereby declared to exist and this Act being  
 28 necessary for the immediate preservation of the public peace, health and  
 29 safety shall be in full force and effect from and after July 1, 1997.

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31 APPROVED: 1-31-97

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