1	State of Arkansas	As Engrossed: \$2/3/99 \$2/16/99 \$2/25/99		
2	82nd General Assembly	A Bill	Act 706 of 1999	
3	Regular Session, 1999		SENATE BILL 115	
4				
5	By: Senator Hopkins			
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7				
8	For An Act To Be Entitled			
9	"AN ACT CONCERNING CREDITED SERVICE IN ARKANSAS PUBLIC			
10	EMPLOYEES' RETIREMENT SYSTEM FOR CERTAIN NONUNIFORMED			
11	MUNI CI PAL	EMPLOYEES; AND FOR OTHER PURPOSES	S. "	
12				
13		Subtitle		
14	"AN	ACT CONCERNING CREDITED SERVICE II	N	
15	ARKANSAS PUBLIC EMPLOYEES' RETIREMENT			
16	SYSTEM FOR CERTAIN NONUNIFORMED			
17	MUNI	CIPAL EMPLOYEES."		
18				
19				
20	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:			
21				
22	SECTION 1. (a)(1)(A) A person who on December 31, 1998 was a			
23	nonuniformed employee of a municipality that participates in the Arkansas			
24	Public Employees Retirement System or a former nonuniformed employee of a			
25	municipality that par	<u>ticipates in the Arkansas Public E</u>	<u>Employees Retirement</u>	
26	System who was an act	ive member of Arkansas Public Empl	oyees Retirement System	
27	on December 31, 1998	may waive all rights to receive be	enefits under Arkansas	
28		h 24-12-130 and apply for and rece		
29	<u>credit in the Arkansa</u>	s Public Employees' Retirement Sys	stem for service	
30	rendered as a paid no	nuniformed employee of the municip	<u>pality.</u>	
31	<u>(B)</u>	A former nonuni formed employee of	f a municipality or	
32	municipalities who had at least six (6) years of service as a nonuniformed			
33	employee; ten (10) years of service as member of Arkansas Public Employees			
34	Retirement System or a reciprocal system as defined by Arkansas Code 24-2-401			
35	and is in a position	of policymaking authority for a st	tate agency may waive	
36	all rights to receive	benefits for the service under ar	ny retirement plan and	

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- 1 <u>apply for and receive current service credit in the Arkansas Public Employees'</u>
- 2 Retirement System for service rendered as a paid nonuniformed employee of the
- 3 <u>municipality or municipalities.</u>
- 4 <u>(C) A former nonuniformed employee whose employment was with</u>
- 5 <u>a municipality not participating in the Arkansas Public Employees Retirement</u>
- 6 System, and whose employment accrued before January 1, 1970 and who was an
- 7 <u>active member of Arkansas Public Employees Retirement System or a reciprocal</u>
- 8 <u>system as defined by Arkansas Code 24-2-401 on December 31, 1998, may waive</u>
- 9 <u>all rights to receive benefits under Arkansas Code 24-12-101 through 24-12-130</u>
- 10 <u>and apply for and receive current service credit in the Arkansas Public</u>
- 11 <u>Employees' Retirement System for service rendered as a paid nonuniformed</u>
- 12 <u>employee of the municipality.</u>
- 13 (2) The waiver must be filed with the Arkansas Public Employees'
- 14 Retirement System and with the governing body of the municipality."
- 15 <u>(b) The current or former paid nonuniformed employee shall receive</u>
- 16 <u>credit only if the employee or the municipality pays, or causes to be paid, to</u>
- 17 the Arkansas Public Employees' Retirement System Fund all necessary employee
- 18 <u>contributions at the rate and on the compensation that would have been paid</u>
- 19 had the employee been a member during that time, all employer contributions
- 20 <u>based on the employer normal cost from the most recently completed regular</u>
- 21 annual actuarial valuation and the compensation that would have been paid had
- 22 he been a member during that time, and regular interest on the employee and
- 23 employer contributions computed from the date the service was rendered to the
- 24 date the payment is received by the Arkansas Public Employees' Retirement
- 25 System.
- 26 (c) The employer's contributions and employees' contributions, if
- 27 applicable, shall be transmitted to the Arkansas Public Employees' Retirement
- 28 System in the form and manner, together with the supporting data, as the Board
- 29 of Trustees of the Arkansas Public Employees' Retirement System shall
- 30 prescribe from time to time.
- 31 (d) The governing body of the municipality may pay the employer
- 32 <u>contributions and employee contributions, if applicable, on behalf of the</u>
- 33 employee for services rendered.
- 34 <u>(e) "Paid nonuniformed employee" has the same meaning as provided by</u>
- 35 Arkansas Code 24-12-101.

1	SECTION 2. No benefit enhancement provided for by this act shall be			
2	implemented if it would cause the publicly supported retirement system's			
3	unfunded actuarial accrued liabilities to exceed a thirty (30) year			
4	amortization. No benefit enhancement provided for by this act shall be			
5	implemented by any publicly supported system which has unfunded actuarial			
6	accrued liabilities being amortized over a period exceeding thirty (30) years			
7	until the unfunded actuarial accrued liability is reduced to a level less that			
8	the standards prescribed by Arkansas Code, Title 24.			
9				
10	SECTION 3. All provisions of this act of a general and permanent nature			
11	are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code			
12	Revision Commission shall incorporate the same in the Code.			
13				
14	SECTION 4. If any provision of this act or the application thereof to			
15	any person or circumstance is held invalid, such invalidity shall not affect			
16	other provisions or applications of the act which can be given effect without			
17	the invalid provision or application, and to this end the provisions of this			
18	act are declared to be severable.			
19				
20	SECTION 5. All laws and parts of laws in conflict with this act are			
21	hereby repealed.			
22	/s/ Hopki ns			
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25	APPROVED: 3/18/1999			
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