

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

HOUSE BILL 1016

4
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, 2011; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE ARKANSAS PUBLIC EMPLOYEES
17 RETIREMENT SYSTEM APPROPRIATION FOR THE
18 2010-2011 FISCAL YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES - PUBLIC EMPLOYEE RETIREMENT SYSTEM. There is
25 hereby established for the Arkansas Public Employees Retirement System for
26 the 2010-2011 fiscal year, the following maximum number of regular employees
27 whose salaries shall be governed by the provisions of the Uniform
28 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
29 its successor, and all laws amendatory thereto. Provided, however, that any
30 position to which a specific maximum annual salary is set out herein in
31 dollars, shall be exempt from the provisions of said Uniform Classification
32 and Compensation Act. All persons occupying positions authorized herein are
33 hereby governed by the provisions of the Regular Salaries Procedures and
34 Restrictions Act (Arkansas Code §21-5-101), or its successor.
35

36 Maximum Annual



| 1 | | | Maximum | Salary Rate | |
|----|------|-------|-------------------------------------|-------------|------------|
| 2 | Item | Class | No. of | Fiscal Year | |
| 3 | No. | Code | Title | Employees | 2010-2011 |
| 4 | (1) | U014U | APERS DIRECTOR | 1 | \$164,344 |
| 5 | (2) | U078U | APERS DEPUTY DIRECTOR | 1 | \$105,089 |
| 6 | (3) | A003N | SENIOR INVESTMENT ANALYST | 1 | GRADE N910 |
| 7 | (4) | N096N | APERS ASST DIRECTOR OF FINANCE | 1 | GRADE N906 |
| 8 | (5) | N159N | APERS INVESTMENT OPERATIONS MANAGER | 1 | GRADE N901 |
| 9 | (6) | D007C | INFORMATION SYSTEMS MANAGER | 1 | GRADE C128 |
| 10 | (7) | G047C | ATTORNEY SPECIALIST | 1 | GRADE C126 |
| 11 | (8) | A027C | ACCOUNTING OPERATIONS MANAGER | 1 | GRADE C125 |
| 12 | (9) | G076C | ADMINISTRATIVE SERVICES MANAGER | 1 | GRADE C124 |
| 13 | (10) | D030C | INFORMATION SYSTEMS COORDINATOR | 1 | GRADE C124 |
| 14 | (11) | A034C | RETIREMENT SECTION MANAGER | 4 | GRADE C123 |
| 15 | (12) | D044C | SYSTEMS ANALYST | 1 | GRADE C122 |
| 16 | (13) | A052C | ACCOUNTING COORDINATOR | 1 | GRADE C121 |
| 17 | (14) | A066C | INTERNAL AUDITOR | 1 | GRADE C119 |
| 18 | (15) | A062C | RETIREMENT COORDINATOR | 5 | GRADE C119 |
| 19 | (16) | A082C | ACCOUNTANT II | 8 | GRADE C117 |
| 20 | (17) | A079C | INVESTMENT ANALYST | 4 | GRADE C117 |
| 21 | (18) | A078C | RETIREMENT COUNSELOR | 15 | GRADE C117 |
| 22 | (19) | P027C | PUBLIC INFORMATION SPECIALIST | 1 | GRADE C116 |
| 23 | (20) | A083C | RETIREMENT ANALYST | 4 | GRADE C116 |
| 24 | (21) | X115C | SOCIAL SECURITY ANALYST | 1 | GRADE C116 |
| 25 | (22) | D077C | HELP DESK SPECIALIST | 2 | GRADE C115 |
| 26 | (23) | C056C | ADMINISTRATIVE SPECIALIST III | 3 | GRADE C112 |
| 27 | (24) | R037C | BENEFITS TECHNICIAN | 12 | GRADE C112 |
| 28 | (25) | C073C | ADMINISTRATIVE SPECIALIST II | 4 | GRADE C109 |
| 29 | | | MAX. NO. OF EMPLOYEES | 76 | |

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31 SECTION 2. EXTRA HELP - PUBLIC EMPLOYEE RETIREMENT SYSTEM. There is
 32 hereby authorized, for the Arkansas Public Employees Retirement System for
 33 the 2010-2011 fiscal year, the following maximum number of part-time or
 34 temporary employees, to be known as "Extra Help", payable from funds
 35 appropriated herein for such purposes: six (6) temporary or part-time
 36 employees, when needed, at rates of pay not to exceed those provided in the

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

3

4 SECTION 3. APPROPRIATION - PUBLIC EMPLOYEE RETIREMENT OPERATIONS. There is
 5 hereby appropriated, to the Arkansas Public Employees Retirement System, to
 6 be payable from the Arkansas Public Employees' Retirement System Fund, for
 7 personal services and operating expenses of the Arkansas Public Employees
 8 Retirement System for the fiscal year ending June 30, 2011, the following:

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| 10 ITEM | FISCAL YEAR |
|------------------------------------|----------------------|
| 11 <u>NO.</u> | <u>2010-2011</u> |
| 12 (01) REGULAR SALARIES | \$ 3,253,294 |
| 13 (02) EXTRA HELP | 75,000 |
| 14 (03) PERSONAL SERVICES MATCHING | 1,037,480 |
| 15 (04) MAINT. & GEN. OPERATION | |
| 16 (A) OPER. EXPENSE | 1,607,473 |
| 17 (B) CONF. & TRAVEL | 42,500 |
| 18 (C) PROF. FEES | 5,825,171 |
| 19 (D) CAP. OUTLAY | 6,000 |
| 20 (E) DATA PROC. | 0 |
| 21 (05) BENEFITS-NON EMPLOYEE | 36,000,000 |
| 22 (06) REFUNDS/REIMBURSEMENTS | <u>49,000,000</u> |
| 23 TOTAL AMOUNT APPROPRIATED | <u>\$ 96,846,918</u> |

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25 SECTION 4. APPROPRIATION - PUBLIC EMPLOYEE RETIREMENT CASH. There is
 26 hereby appropriated, to the Arkansas Public Employees Retirement System, to
 27 be payable from cash funds as defined by Arkansas Code 19-4-801 of the
 28 Arkansas Public Employees Retirement System, for payment to beneficiaries by
 29 check or wired transfer by the Arkansas Public Employees Retirement System
 30 for the fiscal year ending June 30, 2011, the following:

31

| 32 ITEM | FISCAL YEAR |
|------------------|-----------------------|
| 33 <u>NO.</u> | <u>2010-2011</u> |
| 34 (01) BENEFITS | <u>\$ 335,000,000</u> |

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36 SECTION 5. APPROPRIATION - STATE POLICE RETIREMENT OPERATIONS. There is

1 hereby appropriated, to the Arkansas Public Employees Retirement System, to
 2 be payable from the State Police Retirement Fund, for operating expenses of
 3 the State Police Retirement System by the Arkansas Public Employees
 4 Retirement System for the fiscal year ending June 30, 2011, the following:

| 6 ITEM | FISCAL YEAR |
|--------------------------------|----------------------|
| 7 <u>NO.</u> | <u>2010-2011</u> |
| 8 (01) MAINT. & GEN. OPERATION | |
| 9 (A) OPER. EXPENSE | \$ 77,610 |
| 10 (B) CONF. & TRAVEL | 0 |
| 11 (C) PROF. FEES | 265,950 |
| 12 (D) CAP. OUTLAY | 0 |
| 13 (E) DATA PROC. | 0 |
| 14 (02) BENEFITS-NON EMPLOYEE | 10,000,000 |
| 15 (03) REFUNDS/REIMBURSEMENTS | <u>10,000,000</u> |
| 16 TOTAL AMOUNT APPROPRIATED | <u>\$ 20,343,560</u> |

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 18 SECTION 6. APPROPRIATION - STATE POLICE RETIREMENT CASH. There is hereby
 19 appropriated, to the Arkansas Public Employees Retirement System, to be
 20 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
 21 Public Employees Retirement System, for payment to beneficiaries of the State
 22 Police Retirement System by check or wired transfer by the Arkansas Public
 23 Employees Retirement System for the fiscal year ending June 30, 2011, the
 24 following:

| 26 ITEM | FISCAL YEAR |
|------------------|----------------------|
| 27 <u>NO.</u> | <u>2010-2011</u> |
| 28 (01) BENEFITS | <u>\$ 25,000,000</u> |

29
 30 SECTION 7. APPROPRIATION - JUDICIAL RETIREMENT OPERATIONS. There is hereby
 31 appropriated, to the Arkansas Public Employees Retirement System, to be
 32 payable from the Judges Retirement Fund, for operating expenses of the
 33 Judicial Retirement System by the Arkansas Public Employees Retirement System
 34 for the fiscal year ending June 30, 2011, the following:

| 36 ITEM | FISCAL YEAR |
|---------|-------------|
|---------|-------------|

| | | |
|----|------------------------------|---------------------|
| 1 | <u>NO.</u> | <u>2010-2011</u> |
| 2 | (01) MAINT. & GEN. OPERATION | |
| 3 | (A) OPER. EXPENSE | \$ 40,510 |
| 4 | (B) CONF. & TRAVEL | 0 |
| 5 | (C) PROF. FEES | 122,879 |
| 6 | (D) CAP. OUTLAY | 0 |
| 7 | (E) DATA PROC. | 0 |
| 8 | (02) BENEFITS-NON EMPLOYEE | 4,000,000 |
| 9 | (03) REFUNDS/REIMBURSEMENTS | <u>5,000,000</u> |
| 10 | TOTAL AMOUNT APPROPRIATED | <u>\$ 9,163,389</u> |

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12 SECTION 8. APPROPRIATION - 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 fiscal year ending June 30, 2011, the
 18 following:

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| | | |
|----|---------------|----------------------|
| 20 | ITEM | FISCAL YEAR |
| 21 | <u>NO.</u> | <u>2010-2011</u> |
| 22 | (01) BENEFITS | <u>\$ 15,000,000</u> |

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24 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUDICIAL
 26 RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$27,598~~ \$28,426 in the ~~2009-~~
 27 ~~2010~~ 2010-2011 fiscal year may be transferred from the Judges Retirement Fund
 28 to the Arkansas Public Employees Retirement System Fund for costs incurred by
 29 the Arkansas Public Employees Retirement System in administering the Judicial
 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 The provisions of this section shall be in effect only from July 1,
 35 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

36

1 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
 3 POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$45,902~~ \$47,279 in the
 4 ~~2009-2010~~ 2010-2011 fiscal year may be transferred from the State Police
 5 Retirement Fund to the Arkansas Public Employees Retirement System Fund for
 6 costs incurred by the Arkansas Public Employees Retirement System in
 7 administering the State Police Retirement System. Such transfer request
 8 shall be made to the Chief Fiscal Officer of the State, and upon his
 9 approval, said transfer shall be made on his books and those of the Treasurer
 10 of the State and the Auditor of the State.

11 The provisions of this section shall be in effect only from July 1, ~~2007~~
 12 2010 through June 30, ~~2009~~ 2011.

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

24 The provisions of this section shall be in effect only from July 1,
 25 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

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

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

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10 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the General
11 Assembly, that the Constitution of the State of Arkansas prohibits the
12 appropriation of funds for more than a one (1) year period; that the
13 effectiveness of this Act on July 1, 2010 is essential to the operation of
14 the agency for which the appropriations in this Act are provided, and that in
15 the event of an extension of the legislative session, the delay in the
16 effective date of this Act beyond July 1, 2010 could work irreparable harm
17 upon the proper administration and provision of essential governmental
18 programs. Therefore, an emergency is hereby declared to exist and this Act
19 being necessary for the immediate preservation of the public peace, health
20 and safety shall be in full force and effect from and after July 1, 2010.

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23 **APPROVED: 02/19/2010**
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