

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 2/16/87

HOUSE BILL 1356

By: Representative B. Wood

AS ENGROSSED 2/26/87

"AN ACT TO PERMIT ANY PERSON WHO IS A MEMBER OF THE ARKANSAS STATE HIGHWAY EMPLOYEES RETIREMENT SYSTEM TO PURCHASE UP TO THREE YEARS OF CREDITABLE SERVICE IN THE SYSTEM FOR MILITARY SERVICE AFTER BECOMING A MEMBER OF THE SYSTEM; AND FOR OTHER PURPOSES."

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

SECTION 1. Any person who is a member of the Arkansas State Highway Employees Retirement System shall be entitled to purchase creditable service in the System for a period not to exceed three (3) years for active service rendered by the member in the Armed Forces of the United States, after the member's first employment in a position covered by a State supported retirement system, excluding active service for the purpose of attending schools or other peace time training of the member in the military reserve or national guard, provided that: (1) the person has ten (10) years of creditable service with this retirement system, and (2) received an honorable discharge from the Armed Forces, and (3) is not receiving federal military service retirement pay, excluding federal military disability retirement pay, and (4) the member is not qualified to claim the military service in the State Highway Employees Retirement System under the provisions of Act 573 of 1975, or Act 454 of 1949, and (5) the member contributes to the member's deposit account a sum of money equal to the amount that would have been contributed during the term of military service allowable, based upon the bi-weekly earnings of the member at the time the member first reinstates membership in the Highway Employees Retirement System after completing the period of active military service, times a rate equal to the sum of the contribution rates for both the member and the employer at the time the membership was first reinstated after completion of said active military service. Interest shall be paid at the rate

of six percent (6%) per year from December 31, 1987 or six months after the end of the month in which the member first has ten (10) years of creditable service, whichever is later. In no event may payments be extended beyond three (3) years from date of application. It is further required that all payments must be completed before this military service time can be used to compute annuity benefitse at time of retirement.

SECTION 2. The provisions of this Act shall be supplemental to any other laws relating to the members of the Arkansas State Highway Employees Retirement System and nothing herein shall be construed to repeal or modify any existing provisions of this retirement system's laws providing for creditable service in the system for military service, nor to diminish the right of any member of this system to obtain creditable service in the system for military service under the provisions of such existing laws, but in no event shall any member of this retirement system be entitled to receive in excess of five (5) years of creditable service for military service rendered by the member, and no member shall be eligible for such creditable service in more than one State supported retirement System.

SECTION 3. REPEALING CLAUSE. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. EMERGENCY CLAUSE. There are some military veterans that have been excluded by prior laws and have been unable to purchase service credit in the Highway Employees Retirement System for their military time. To correct this oversight, and to enable the members to purchase some service credit in the System for the time spent in service of their country, it is hereby determined that an emergency exists, and this Act, being necessary for the immediate preservation of the public health, welfare and safety, shall be in full force and effect from and after its passage and approval.

/s/ Bobby Wood

