

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

A Bill

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.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1993-94	1994-95
35	(1)	9977 PERS DIRECTOR	1	\$ 69,967	\$ 72,415

1	(2) 606Z PERS ASSISTANT DIRECTOR	1	GRADE 26
2	(3) 988Z ASSOC DIR - INVESTMENTS	1	GRADE 24
3	(4) D046 SYSTEMS APPLICATIONS SUPERVISOR	1	GRADE 23
4	608Z PERS PROGRAM MGR/RETIREMENT	1	
5	610Z PERS PROGRAM MGR/ADMIN SVCS	1	
6	(5) R017 APERS RESEARCH & SUPPORT MANAGER	1	GRADE 22
7	A119 RETIREMENT PRG MGR/MEMBER & RECORDS	1	
8	(6) A132 APERS MANAGER/SUPERVISOR MEMBERSHIP	1	GRADE 21
9	A008 ACCOUNTING SUPV II	1	
10	A097 RETIREMENT COUNSELOR SUPERVISOR	1	
11	A164 RETIREMENT FUND INVESTMENT SUPV	1	
12	D036 SR PROGRAMMER/ANALYST	1	
13	(7) A056 INTERNAL AUDITOR	1	GRADE 20
14	(8) A060 INVESTMENT SPECIALIST	3	GRADE 19
15	A113 RETIREMENT COUNSELOR	6	
16	R030 ASST PERSONNEL MANAGER	1	
17	(9) A111 ACCOUNTANT	1	GRADE 18
18	R264 MANAGEMENT PROJECT ANALYST I	2	
19	(10) R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17
20	(11) R440 BUSINESS CONTROLLER II	1	GRADE 16
21	(12) A108 ACCOUNTING TECHNICIAN II	2	GRADE 15
22	A092 REPORTING SPECIALIST III	3	
23	(13) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
24	(14) A091 REPORTING SPECIALIST II	3	GRADE 13
25	K153 SECRETARY II	4	
26	(15) A106 ACCOUNTING TECHNICIAN I	1	GRADE 12
27	(16) A089 REPORTING SPECIALIST I	1	GRADE 11
28	K155 SECRETARY I	<u>2</u>	
29	MAX NO. OF EMPLOYEES	46	

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

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

3

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

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

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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 wire transfer of the Arkansas
30 Public Employees Retirement System for the biennial period ending June 30,
31 ~~1995, the following:~~

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33 ITEM		FISCAL YEARS	
34 NO.		1993-94	1994-95
35 (01)	BENEFITS	<u>\$ 75,000,000</u>	<u>\$ 75,000,000</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, refunds and reimbursement of the Arkansas Public Employees
6 ~~Retirement System for administration of the State Police Retirement System for~~
7 the biennial period ending June 30, 1995, the following:

8

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

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22 SECTION 6. APPROPRIATIONS - STATE POLICE RETIREMENT - CASH. There is
23 hereby appropriated, to the Arkansas Public Employees Retirement System, to be
24 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
25 Public Employees Retirement System, for payments to beneficiaries of the State
26 ~~Police Retirement System by check or wire transfer for the biennial period~~
27 ending June 30, 1995, the following:

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

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

1 ~~benefits, refunds and reimbursement of the Arkansas Public Employees~~
2 Retirement System for administration of the Judicial Retirement System for the
3 biennial period ending June 30, 1995, the following:

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

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18 SECTION 8. APPROPRIATIONS - JUDICIAL 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 payments to beneficiaries of the~~
22 Judicial Retirement System by check or wire transfer for the biennial period
23 ending June 30, 1995, the following:

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

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

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

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

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

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

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

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35 SECTION 15. *There is hereby appropriated, to the Arkansas Public*

1 *Employees Retirement System, to be payable from the Arkansas Public Employees*
2 *Retirement System Fund, for the construction and equipping of modules A4 and*
3 *A5 of the Capitol Mall Facility for the biennial period ending June 30, 1995,*
4 *the sum of\$14,800,000.*

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6 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
7 authorized by this Act shall be limited to the appropriation for such agency
8 and funds made available by law for the support of such appropriations; and
9 the restrictions of the State Purchasing Law, the General Accounting and
10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
11 Procedures and Restrictions Act, or their successors, and other fiscal control
12 laws of this State, where applicable, and regulations promulgated by the
13 Department of Finance and Administration, as authorized by law, shall be
14 strictly complied with in disbursement of said funds.

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16 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General
17 Assembly that any funds disbursed under the authority of the appropriations
18 contained in this Act shall be in compliance with the stated reasons for which
19 this Act was adopted, as evidenced by the Agency Requests, Executive
20 Recommendations and Legislative Recommendations contained in the budget
21 manuals prepared by the Department of Finance and Administration, letters, or
22 summarized oral testimony in the official minutes of the Arkansas Legislative
23 Council or Joint Budget Committee which relate to its passage and adoption.

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25 SECTION 18. CODE. All provisions of this Act of a general and
26 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
27 Arkansas Code Revision Commission shall incorporate the same in the Code.

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29 SECTION 19. SEVERABILITY. If any provision of this Act or the
30 application thereof to any person or circumstance is held invalid, such
31 invalidity shall not affect other provisions or applications of the Act which
32 can be given effect without the invalid provision or application, and to this
33 end the provisions of this Act are declared to be severable.

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35 SECTION 20. GENERAL REPEALER. All laws and parts of laws in conflict

1 with this Act are hereby repealed.

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

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/s/John E. Miller

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