

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Representative Luker

# A Bill

HOUSE BILL 1543

## For An Act To Be Entitled

8 "AN ACT TO AUTHORIZE MEMBERS OF RURAL WATERWORKS  
9 FACILITIES BOARDS TO PARTICIPATE IN THE PUBLIC EMPLOYEE'S  
10 RETIREMENT SYSTEM; AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT TO AUTHORIZE EMPLOYEES OF RURAL  
15 WATERWORKS FACILITIES BOARDS TO  
16 PARTICIPATE IN PEERS."

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

21 SECTION 1. Subdivision (5) of Arkansas Code 24-4-101 is amended to  
22 read as follows:

23 "(5) 'Participating public employer' means any county, municipality,  
24 rural waterworks facilities boards, regional airport authority, public  
25 facilities board, regional solid waste management board, joint county and  
26 municipal sanitation authority, or regional water distribution board, in the  
27 state whose employees are included in the membership of the system;"

29 SECTION 2. Subdivision (9) of Arkansas Code 24-4-101 is amended to  
30 read as follows:

31 "(9) 'Nonstate employees' means county employees, municipal employees,  
32 rural waterworks facilities board employees, regional airport authority  
33 employees, public facilities board employees, regional solid waste management  
34 board employees, joint county and municipal sanitation authority employees,  
35 regional water distribution board employees and school employees;"

1

2 SECTION 3. Arkansas Code 24-4-101 is amended by adding a new subdivision at  
3 the end thereof to read as follows:

4 "(31) 'Rural waterworks facilities board' means a rural waterworks  
5 facilities' board created under Act 617 of 1995."

6

7 SECTION 4. Arkansas Code 24-4-202(e) is amended to read as follows:

8 "(e) In the case of regional Airport Authority employees, Public  
9 Facilities Board employees, Rural Waterworks Facilities Board Employees,  
10 Regional Solid Waste Management Board employees, Joint County and Municipal  
11 Sanitation Authority employees, and Regional Water Distribution Board  
12 employees, each participating employer shall pay into the Arkansas Public  
13 Employees Retirement System Fund such sums of money as are necessary to  
14 provide the employer's contribution, as directed by the Arkansas Public  
15 Employees Retirement System Board. The contribution shall be transmitted to  
16 the Arkansas Public Employees Retirement System, together with such  
17 supporting data, as the Arkansas Public Employees Retirement System Board  
18 shall prescribe from time to time."

19

20 SECTION 5. (a) Any full-time employee of a Public Facilities Board,  
21 Rural Waterworks Facilities Board, Regional Solid Waste Management Board,  
22 Joint County and Municipal Sanitation Authority, or Regional Water  
23 Distribution Board enrolled in the Arkansas Public Employees Retirement  
24 System pursuant to this act, who is a full-time employee of a participating  
25 Public Facilities Board, Regional Solid Waste Management Board, Joint County  
26 and Municipal Sanitation Authority, or Regional Water Distribution Board in  
27 this state on the date his employer became, or becomes, a public employer in  
28 the System, may apply for and receive current service credit for services  
29 rendered as a full-time employee of the Public Facilities Board, Regional  
30 Solid Waste Management Board, Joint County and Municipal Sanitation  
31 Authority, or Regional Water Distribution Board. The employee shall receive  
32 credit only if the employee or employer pays, or causes to be paid, to the  
33 Arkansas Public Employees Retirement System Fund all necessary employer  
34 contributions and employee contributions, if applicable, that would have been  
35 paid had the employee been a member of the Arkansas Public Employees

1 Retirement System during that time, plus interest thereon at the rate  
2 directed by the Board of Trustees of the Arkansas Public Employees Retirement  
3 System. The employer's contributions and employees' contributions, if  
4 applicable, shall be transmitted to the System in the form and manner,  
5 together with the supporting data, as the Arkansas Public Employees  
6 Retirement System Board of Trustees shall prescribe from time to time.

7 (b) The governing body of any Public Facilities Board, Rural  
8 Waterworks Facilities Board, Regional Solid Waste Management Board, Joint  
9 County and Municipal Sanitation Authority, or Regional Water Distribution  
10 Board electing to include the full-time employees of the Board within the  
11 membership of the Arkansas Public Employees Retirement System may pay the  
12 employer contributions and employee contributions, if applicable, on behalf  
13 of employees for services rendered."  
14

15 SECTION 6 . All provisions of this act of a general and permanent  
16 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
17 Code Revision Commission shall incorporate the same in the Code.  
18

19 SECTION 7. If any provision of this act or the application thereof to  
20 any person or circumstance is held invalid, such invalidity shall not affect  
21 other provisions or applications of the act which can be given effect without  
22 the invalid provision or application, and to this end the provisions of this  
23 act are declared to be severable.  
24

25 SECTION 8. All laws and parts of laws in conflict with this act are  
26 hereby repealed.  
27

28 SECTION 9. EMERGENCY. It is hereby found and determined by the  
29 General Assembly that employees of Rural Waterworks Facilities Boards created  
30 by Act 617 of 1995 should be entitled to participate in the Public Employees  
31 Retirement System at the beginning of the next fiscal year; and that unless  
32 this emergency clause is adopted this act might not become effective until  
33 after the beginning of the next fiscal year. Therefore, an emergency is  
34 hereby declared to exist and this act being necessary for the immediate  
35 preservation of the public peace, health and safety shall be in full force

***As Engrossed: 3/30/95***

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1 *and effect from and after July 1, 1995*

2 */s/Rep. Luker*

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