

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4 By: Senator Scott

A Bill

SENATE BILL 47

For An Act To Be Entitled

8 "AN ACT TO AMEND SECTION 4 OF UNCODIFIED ACT 899 OF 1995
9 CREATING THE INTERGOVERNMENTAL JUVENILE DETENTION COUNCIL
10 OF THE 10TH JUDICIAL DISTRICT TO AUTHORIZE THE COUNCIL
11 EMPLOYEES TO PARTICIPATE IN THE PUBLIC EMPLOYEES'
12 RETIREMENT SYSTEM (PERS); TO AMEND VARIOUS PARTS OF
13 CHAPTER 4 OF TITLE 24 OF THE ARKANSAS CODE OF 1987,
14 ANNOTATED, TO ALLOW THE INTERGOVERNMENTAL JUVENILE
15 DETENTION COUNCIL TO BECOME PART OF THE PERS SYSTEM; TO
16 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

Subtitle

18 "TO AUTHORIZE THE INTERGOVERNMENTAL
19 JUVENILE DETENTION COUNCIL EMPLOYEES TO
20 PARTICIPATE IN THE PUBLIC EMPLOYEES'
21 RETIREMENT SYSTEM (PERS)."
22

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

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26 SECTION 1. Uncodified Section 4 of Act 899 of 1995, an uncodified act
27 regarding the Intergovernmental Juvenile Detention Council of the 10th
28 Judicial District, is amended to read as follows:

29 "SECTION 4. (a) The Council is authorized to employ a director and such
30 other personnel as it deems necessary and appropriate to assure the effective
31 and efficient operation of the detention facility.

32 (b) The Council, by a majority vote of its members, may elect to
33 participate in the Arkansas Public Employees Retirement System and to include
34 its full-time employees within the membership of the Arkansas Public Employees
35 Retirement System. The Council may pay the contributions as the Arkansas
36 Public Employees Retirement System Board of Trustees shall prescribe."

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2 SECTION 2. Arkansas Code 24-4-101(5), regarding the definitions
3 affecting the Public Employees Retirement System, is amended to read as
4 follows:

5 "(5) Participating public employer means any county, municipality,
6 rural waterworks facilities board, regional airport authority, public
7 facilities board, regional solid waste management board, joint county and
8 municipal sanitation authority, or regional water distribution board, in the
9 state whose employees are included in the membership of the system or the
10 employees of the Intergovernmental Juvenile Detention Council who are included
11 in the membership of the system;"

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13 SECTION 3. Arkansas Code 24-4-101(9), regarding the definitions
14 affecting the Public Employees Retirement System, is amended to read as
15 follows:

16 "(9) Nonstate employees means county employees, municipal employees,
17 rural waterworks facilities board employees, regional airport authority
18 employees, public facilities board employees, regional solid waste management
19 board employees, joint county and municipal sanitation authority employees,
20 regional water distribution board employees and school employees and the
21 employees the Intergovernmental Juvenile Detention Council;"

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23 SECTION 4. Arkansas Code 24-4-101, regarding the definitions affecting
24 the Public Employees Retirement System, is amended to add a new subdivision
25 (32) to read as follows:

26 "(32) Intergovernmental Juvenile Detention Council means the
27 Intergovernmental Juvenile Detention Council of the 10th Judicial District
28 created by uncodified Act 899 of 1995, which has chosen by a majority vote of
29 the Council to participate in the Arkansas Public Employees Retirement
30 System."

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32 SECTION 5. Arkansas Code 24-4-202(e), regarding contributions to the
33 Arkansas Public Employees Retirement System Fund, is amended to read as
34 follows:

35 "(e)(1) In the case of regional airport authority employees, public
36 facilities board employees, rural waterworks facilities board employees,

1 regional solid waste management board employees, joint county and municipal
2 sanitation authority employees, and regional water distribution board
3 employees, Intergovernmental Juvenile Detention Council employees, each
4 participating employer shall pay into the Arkansas Public Employees'
5 Retirement System Fund such sums of money as are necessary to provide the
6 employer's contribution, as directed by the Board of Trustees of the Arkansas
7 Public Employees' Retirement System.

8 (2) The contribution shall be transmitted to the Arkansas Public
9 Employees' Retirement System, together with such supporting data as the Board
10 of Trustees of the Arkansas Public Employees' Retirement System shall
11 prescribe from time to time."

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13 SECTION 6. (a) Any full-time employee of the Intergovernmental
14 Juvenile Detention Council of the Tenth Judicial District enrolled in the
15 Arkansas Public Employees Retirement System pursuant to this act, who is a
16 full-time employee of the Council on the date his employer becomes a public
17 employer in the System, may apply for and receive current service credit for
18 service rendered as a full-time employee of the Intergovernmental Juvenile
19 Detention Council. The employee shall receive credit only if the employee or
20 employer pays, or causes to be paid, to the Arkansas Public Employees
21 Retirement System Fund all necessary employer contributions and employee
22 contributions, if applicable, that would have been paid had the employee been
23 a member of the Arkansas Public Employees Retirement System during that time,
24 plus interest thereon at the rate directed by the Board of Trustees of the
25 Arkansas Public Employees Retirement System. The employer's contributions and
26 employees' contributions, if applicable, shall be transmitted to the System in
27 the form and manner, together with the supporting data, as the Arkansas Public
28 Employees Retirement System Board of Trustees shall prescribe from time to
29 time.

30 (b) The Intergovernmental Juvenile Detention Council of the Tenth
31 Judicial District electing to include the full-time employees of the Board
32 within the membership of the Arkansas Public Employees Retirement System may
33 pay the employer contributions and employee contributions, if applicable, on
34 behalf of employees for services rendered.

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36 SECTION 7. All provisions of this act of general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
2 Revision Commission shall incorporate the same in the Code.

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4 SECTION 8. If any provisions of this act or the application thereof to
5 any person or circumstance is held invalid, the invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provisions or application, and to this end the provisions of this
8 act are declared to be severable.

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10 SECTION 9. All laws and parts of laws in conflict with this act are
11 hereby repealed.

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13 SECTION 10. Emergency. It is hereby found and determined by the
14 Eighty-First General Assembly of the State of Arkansas that the
15 Intergovernmental Juvenile Detention Council of the Tenth Judicial District
16 created by uncodified Act 899 of 1995 should be entitled to participate in the
17 Public Employees Retirement System at the beginning of the next fiscal year;
18 and that unless this emergency clause is adopted this act might not become
19 effective until after the beginning of the next fiscal year. Therefore, an
20 emergency is hereby declared to exist and this act being necessary for the
21 immediate preservation of the public peace, health and safety shall be
22 effective from and after July 1, 1997.

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