

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S2/1/99
A Bill

SENATE BILL 169

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE ARKANSAS PUBLIC
11 EMPLOYEES RETIREMENT SYSTEM FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2001; AND FOR OTHER PURPOSES."
13

Subtitle

14 "AN ACT FOR THE ARKANSAS PUBLIC EMPLOYEES
15 RETIREMENT SYSTEM APPROPRIATION FOR
16 THE 1999-2001 BIENNIUM."
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES - PUBLIC EMPLOYEE RETIREMENT SYSTEM. There is
23 hereby established for the Arkansas Public Employees Retirement System for the
24 1999-2001 biennium, the following maximum number of regular employees whose
25 salaries shall be governed by the provisions of the Uniform Classification and
26 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
27 laws amendatory thereto. Provided, however, that any position to which a
28 specific maximum annual salary is set out herein in dollars, shall be exempt
29 from the provisions of said Uniform Classification and Compensation Act. All
30 persons occupying positions authorized herein are hereby governed by the
31 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
32 Code §21-5-101), or its successor.
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| | | | |
|----|------------|---------|----------------|
| 34 | | | Maximum Annual |
| 35 | | Maximum | Salary Rate |
| 36 | Item Class | No. of | Fiscal Years |

PLR034

| | No. | Code | Title | Employees | 1999-2000 | 2000-2001 |
|----|------|------|-------------------------------------|-----------|-----------|-----------|
| 1 | | | | | | |
| 2 | (1) | 9977 | PERS DIRECTOR | 1 | \$92,520 | \$95,110 |
| 3 | (2) | 9029 | PERS ASST DIRECTOR | 1 | \$70,294 | \$72,262 |
| 4 | (3) | 9028 | PERS ASSOC DIR - INVESTMENTS | 1 | \$59,480 | \$61,145 |
| 5 | (4) | R017 | APERS MEMBER SERVICES MGR | 1 | | GRADE 23 |
| 6 | (5) | 610Z | PERS PROG MGR/ADMIN SVCS | 1 | | GRADE 23 |
| 7 | (6) | 608Z | PERS PROGRAM MGR/RETIREMENT | 1 | | GRADE 23 |
| 8 | (7) | D046 | SYSTEMS APPLICATIONS SUPERVISOR | 1 | | GRADE 23 |
| 9 | (8) | D124 | LEAD PROGRAMMER/ANALYST | 1 | | GRADE 22 |
| 10 | (9) | A008 | ACCOUNTING SUPERVISOR II | 1 | | GRADE 21 |
| 11 | (10) | A132 | APERS MANAGER/SUPERVISOR MEMBERSHIP | 2 | | GRADE 21 |
| 12 | (11) | A097 | RETIREMENT COUNSELOR SUPERVISOR | 1 | | GRADE 21 |
| 13 | (12) | A164 | RETIREMENT FUND INVESTMENT SUPV | 1 | | GRADE 21 |
| 14 | (13) | R266 | MANAGEMENT PROJECT ANALYST II | 1 | | GRADE 20 |
| 15 | (14) | R144 | PROGRAM COORDINATOR | 1 | | GRADE 20 |
| 16 | (15) | D121 | USER SUPPORT ANALYST | 1 | | GRADE 20 |
| 17 | (16) | R030 | ASST PERSONNEL MANAGER | 1 | | GRADE 19 |
| 18 | (17) | A060 | INVESTMENT SPECIALIST | 3 | | GRADE 19 |
| 19 | (18) | A113 | RETIREMENT COUNSELOR | 7 | | GRADE 19 |
| 20 | (19) | A111 | ACCOUNTANT | 1 | | GRADE 18 |
| 21 | (20) | R264 | MANAGEMENT PROJECT ANALYST I | 1 | | GRADE 18 |
| 22 | (21) | R010 | ADMINISTRATIVE ASSISTANT II | 1 | | GRADE 17 |
| 23 | (22) | R440 | BUSINESS CONTROLLER II | 1 | | GRADE 16 |
| 24 | (23) | A108 | ACCOUNTING TECHNICIAN II | 2 | | GRADE 15 |
| 25 | (24) | A092 | REPORTING SPECIALIST III | 6 | | GRADE 15 |
| 26 | (25) | K041 | EXECUTIVE SECY/ADMINISTRATIVE SECY | 1 | | GRADE 14 |
| 27 | (26) | K153 | SECRETARY II | 4 | | GRADE 13 |
| 28 | (27) | A106 | ACCOUNTING TECHNICIAN I | <u>1</u> | | GRADE 12 |
| 29 | | | MAX. NO. OF EMPLOYEES | 45 | | |

30

31 SECTION 2. EXTRA HELP - PUBLIC EMPLOYEE RETIREMENT SYSTEM. There is hereby
 32 authorized, for the Arkansas Public Employees Retirement System for the 1999-
 33 2001 biennium, the following maximum number of part-time or temporary
 34 employees, to be known as "Extra Help", payable from funds appropriated herein
 35 for such purposes: four (4) temporary or part-time employees, when needed, at
 36 rates of pay not to exceed those provided in the Uniform Classification and

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

3

4 SECTION 3. APPROPRIATION - PUBLIC EMPLOYEE RETIREMENT OPERATIONS. There is
 5 hereby appropriated, to the Arkansas Public Employees Retirement System, to be
 6 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 biennial period ending June 30, 2001, the following:

9

| ITEM | | FISCAL YEARS | |
|------|---------------------------|----------------------|----------------------|
| NO. | | 1999-2000 | 2000-2001 |
| (01) | REGULAR SALARIES | \$ 1,588,099 | \$ 1,632,566 |
| (02) | EXTRA HELP | 12,000 | 12,000 |
| (03) | PERSONAL SERV MATCHING | 425,744 | 433,607 |
| (04) | MAINT. & GEN. OPERATION | | |
| (A) | OPER. EXPENSE | 642,393 | 642,393 |
| (B) | CONF. & TRAVEL | 20,000 | 20,000 |
| (C) | PROF. FEES | 5,347,915 | 5,469,000 |
| (D) | CAP. OUTLAY | 152,085 | 31,000 |
| (E) | DATA PROC. | 0 | 0 |
| (05) | INVESTMENT/BENEFIT/REFUND | 75,000,000 | 75,000,000 |
| (06) | DATA PROCESSING SERVICES | <u>2,000,000</u> | <u>2,000,000</u> |
| | TOTAL AMOUNT APPROPRIATED | <u>\$ 85,188,236</u> | <u>\$ 85,240,566</u> |

24

25 SECTION 4. APPROPRIATIONS - PUBLIC EMPLOYEE RETIREMENT CASH. There is
 26 hereby appropriated, to the Arkansas Public Employees Retirement System, to be
 27 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
 28 Public Employees Retirement System, for payment to beneficiaries by check or
 29 wired transfer by the Arkansas Public Employees Retirement System for the
 30 biennial period ending June 30, 2001, the following:

31

| ITEM | | FISCAL YEARS | |
|------|----------|-----------------------|-----------------------|
| NO. | | 1999-2000 | 2000-2001 |
| (01) | BENEFITS | <u>\$ 135,000,000</u> | <u>\$ 135,000,000</u> |

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36 SECTION 5. APPROPRIATIONS - STATE POLICE RETIREMENT CASH. There is hereby

1 appropriated, to the Arkansas Public Employees Retirement System, to be
 2 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
 3 Public Employees Retirement System, for payment to beneficiaries of the State
 4 Police Retirement System by check or wired transfer by the Arkansas Public
 5 Employees Retirement System for the biennial period ending June 30, 2001, the
 6 following:

| ITEM NO. | FISCAL YEARS | |
|---------------|----------------------|----------------------|
| | 1999-2000 | 2000-2001 |
| (01) BENEFITS | <u>\$ 10,000,000</u> | <u>\$ 10,000,000</u> |

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 12 SECTION 6. APPROPRIATIONS - 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 biennial period ending June 30, 2001, the
 18 following:

| ITEM NO. | FISCAL YEARS | |
|---------------|---------------------|---------------------|
| | 1999-2000 | 2000-2001 |
| (01) BENEFITS | <u>\$ 5,000,000</u> | <u>\$ 5,000,000</u> |

19
 20 SECTION 7. APPROPRIATION - JUDICIAL RETIREMENT OPERATIONS. There is hereby
 21 appropriated, to the Arkansas Public Employees Retirement System, to be
 22 payable from the Judges Retirement Fund, for operating expenses of the
 23 Judicial Retirement System by the Arkansas Public Employees Retirement System
 24 for the biennial period ending June 30, 2001, the following:

| ITEM NO. | FISCAL YEARS | |
|------------------------------|--------------|-----------|
| | 1999-2000 | 2000-2001 |
| (01) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | 10,510 | 10,510 |
| (B) CONF. & TRAVEL | 0 | 0 |
| (C) PROF. FEES | 152,879 | 152,879 |
| (D) CAP. OUTLAY | 0 | 0 |

| | | | |
|---|--------------------------------|---------------------|---------------------|
| 1 | (E) DATA PROC. | 0 | 0 |
| 2 | (02) INVESTMENT/BENEFIT/REFUND | 6,500,000 | 6,500,000 |
| 3 | (03) DATA PROCESSING SERVICES | <u>17,500</u> | <u>17,500</u> |
| 4 | TOTAL AMOUNT APPROPRIATED | <u>\$ 6,680,889</u> | <u>\$ 6,680,889</u> |

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 6 SECTION 8. APPROPRIATION - STATE POLICE RETIREMENT OPERATIONS. There is
 7 hereby appropriated, to the Arkansas Public Employees Retirement System, to be
 8 payable from the State Police Retirement Fund, for operating expenses of the
 9 State Police Retirement System by the Arkansas Public Employees Retirement
 10 System for the biennial period ending June 30, 2001, the following:

| 12 | ITEM | FISCAL YEARS | |
|----|--------------------------------|----------------------|----------------------|
| 13 | <u>NO.</u> | <u>1999-2000</u> | <u>2000-2001</u> |
| 14 | (01) MAINT. & GEN. OPERATION | | |
| 15 | (A) OPER. EXPENSE | 12,610 | 12,610 |
| 16 | (B) CONF. & TRAVEL | 0 | 0 |
| 17 | (C) PROF. FEES | 320,950 | 320,950 |
| 18 | (D) CAP. OUTLAY | 0 | 0 |
| 19 | (E) DATA PROC. | 0 | 0 |
| 20 | (02) INVESTMENT/BENEFIT/REFUND | 13,250,000 | 13,250,000 |
| 21 | (03) DATA PROCESSING SERVICES | <u>28,000</u> | <u>28,000</u> |
| 22 | TOTAL AMOUNT APPROPRIATED | <u>\$ 13,611,560</u> | <u>\$ 13,611,560</u> |

23
 24 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 25 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POLICE
 26 RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$28,375~~ \$30,102 in the ~~1997-98~~
 27 1999-2000 fiscal year, and ~~\$29,225~~ \$31,005 in the ~~1998-99~~ 2000-01 fiscal year
 28 may be transferred from the State Police Retirement Fund to the Arkansas
 29 Public Employees Retirement System Fund for costs incurred by the Arkansas
 30 Public Employees Retirement System in administering the State Police
 31 Retirement System. Such transfer request shall be made to the Chief Fiscal
 32 Officer of the State, and upon his approval, said transfer shall be made on
 33 his books and those of the Treasurer of the State and the Auditor of the
 34 State.

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 36 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXEMPTION
2 OF TRANSFERS FROM REVIEW. The Arkansas Public Employees Retirement System is
3 hereby exempted from seeking prior review by the Arkansas Legislative Council
4 with 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.

9
10 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
12 FORWARD. The remaining balance as of June 30, ~~1998~~ 2000, of unexpended
13 appropriation in Operating Expense, Professional Fees and Capital Outlay in
14 Section 3 of this Act shall be carried forward into fiscal year ~~1998-99~~ 2000-
15 01 to be used for the same purposes.

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17 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUDICIAL
19 RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$17,000~~ \$18,025 in the ~~1997-98~~
20 1999-2000 fiscal year, and ~~\$17,500~~ \$18,565 in the ~~1998-1999~~ 2000-01 fiscal
21 year may be transferred from the Judges Retirement Fund to the Arkansas Public
22 Employees Retirement System Fund for costs incurred by the Arkansas Public
23 Employees Retirement System in administering the Judicial Retirement System.
24 Such transfer request shall be made to the Chief Fiscal Officer of the State,
25 and upon his approval, said transfer shall be made on his books and those of
26 the Treasurer of the State and the Auditor of the State.

27
28 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXEMPTION
30 FROM PRIOR REVIEW. The Arkansas Public Employees Retirement System is hereby
31 exempted from seeking prior review by the Arkansas Legislative Council with
32 regard to transfers between the Benefits line item in the Cash Fund
33 Appropriation and the Investment/Benefits/Refund line item in the Operational
34 Appropriation which are specifically related to transfers necessitated by the
35 changes in retirees' selection of the method of payment of retirement
36 benefits. All other provisions of Arkansas Code §19-4-522 shall be

1 appl i cabl e.

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

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13 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General Assembly
14 that any funds disbursed under the authority of the appropriations contained
15 in this act shall be in compliance with the stated reasons for which this act
16 was adopted, as evidenced by the Agency Requests, Executive Recommendations
17 and Legislative Recommendations contained in the budget manuals prepared by
18 the Department of Finance and Administration, letters, or summarized oral
19 testimony in the official minutes of the Arkansas Legislative Council or Joint
20 Budget Committee which relate to its passage and adoption.

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22 SECTION 16. CODE. All provisions of this Act of a general and permanent
23 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
24 Code Revision Commission shall incorporate the same in the Code.

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26 SECTION 17. SEVERABILITY. If any provision of this act or the application
27 thereof to any person or circumstance is held invalid, such invalidity shall
28 not affect other provisions or applications of the act which can be given
29 effect without the invalid provision or application, and to this end the
30 provisions of this act are declared to be severable.

31

32 SECTION 18. GENERAL REPEALER. All laws and parts of laws in conflict with
33 this act are hereby repealed.

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35 SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the
36 Eighty-second General Assembly, that the Constitution of the State of Arkansas

1 prohibits the appropriation of funds for more than a two (2) year period; that
2 the effectiveness of this Act on July 1, 1999 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the Regular Session, the delay in the effective
5 date of this Act beyond July 1, 1999 could work irreparable harm upon the
6 proper administration and provision of essential governmental programs.
7 Therefore, an emergency is hereby declared to exist and this Act being
8 necessary for the immediate preservation of the public peace, health and
9 safety shall be in full force and effect from and after July 1, 1999.

10
11 */s/ Joint Budget Committee*
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