

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001

# A Bill

HOUSE BILL 1226

4  
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, 2003; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT FOR THE ARKANSAS PUBLIC EMPLOYEES  
16 RETIREMENT SYSTEM APPROPRIATION FOR  
17 THE 2001-2003 BIENNIUM.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES – PUBLIC EMPLOYEE RETIREMENT SYSTEM. There is  
24 hereby established for the Arkansas Public Employees Retirement System for the  
25 2001-2003 biennium, the following maximum number of regular employees whose  
26 salaries shall be governed by the provisions of the Uniform Classification and  
27 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all  
28 laws amendatory thereto. Provided, however, that any position to which a  
29 specific maximum annual salary is set out herein in dollars, shall be exempt  
30 from the provisions of said Uniform Classification and Compensation Act. All  
31 persons occupying positions authorized herein are hereby governed by the  
32 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
33 Code §21-5-101), or its successor.  
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Maximum Annual  
Maximum Salary Rate

Item	Class		No. of	Fiscal Years	
	No.	Code Title		Employees	2001-2002
3	(1)	9977 PERS DIRECTOR	1	\$97,582	\$100,119
4	(2)	9029 PERS ASST DIRECTOR	1	\$74,140	\$76,067
5	(3)	9028 PERS ASSOC DIR - INVESTMENTS	1	\$62,734	\$64,365
6	(4)	297Z GENERAL BUSINESS MANAGER	1	GRADE 24	
7	(5)	R017 APERS MEMBER SERVICES MGR	1	GRADE 23	
8	(6)	610Z PERS PROG MGR/ADMIN SVCS	1	GRADE 23	
9	(7)	608Z PERS PROGRAM MGR/RETIREMENT	1	GRADE 23	
10	(8)	D046 SYSTEMS APPLICATIONS SUPERVISOR	1	GRADE 23	
11	(9)	D124 LEAD PROGRAMMER/ANALYST	1	GRADE 22	
12	(10)	A132 APERS MANAGER/SUPERVISOR MEMBERSHIP	2	GRADE 21	
13	(11)	A097 RETIREMENT COUNSELOR SUPERVISOR	2	GRADE 21	
14	(12)	A164 RETIREMENT FUND INVESTMENT SUPV	1	GRADE 21	
15	(13)	A056 INTERNAL AUDITOR	1	GRADE 20	
16	(14)	R266 MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
17	(15)	D121 USER SUPPORT ANALYST	1	GRADE 20	
18	(16)	A122 ACCOUNTING SERVICES REP I	1	GRADE 19	
19	(17)	A060 INVESTMENT SPECIALIST	4	GRADE 19	
20	(18)	R150 RESEARCH PROJECT ANALYST	1	GRADE 19	
21	(19)	A113 RETIREMENT COUNSELOR	10	GRADE 19	
22	(20)	A111 ACCOUNTANT	1	GRADE 18	
23	(21)	R264 MANAGEMENT PROJECT ANALYST I	2	GRADE 18	
24	(22)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
25	(23)	A108 ACCOUNTING TECHNICIAN II	3	GRADE 15	
26	(24)	A092 REPORTING SPECIALIST III	6	GRADE 15	
27	(25)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
28	(26)	K153 SECRETARY II	<u>4</u>	GRADE 13	
29		MAX. NO. OF EMPLOYEES	52		

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31 SECTION 2. EXTRA HELP – PUBLIC EMPLOYEE RETIREMENT SYSTEM. There is hereby  
 32 authorized, for the Arkansas Public Employees Retirement System for the 2001-  
 33 2003 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.

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 4 SECTION 3. APPROPRIATION - OPERATIONS. 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, 2003, the following:

ITEM		FISCAL YEARS	
NO.		2001-2002	2002-2003
(01)	REGULAR SALARIES	\$ 1,806,801	\$ 1,853,779
(02)	EXTRA HELP	25,000	25,000
(03)	PERSONAL SERV MATCHING	471,313	479,616
(04)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	707,393	710,393
(B)	CONF. & TRAVEL	40,000	40,000
(C)	PROF. FEES	5,027,748	5,058,077
(D)	CAP. OUTLAY	60,000	20,000
(E)	DATA PROC.	0	0
(05)	INVESTMENT/BENEFIT/REFUND	50,000,000	50,000,000
(06)	DATA PROCESSING SERVICES	<u>2,000,000</u>	<u>2,000,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 60,138,255</u>	<u>\$ 60,186,865</u>

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 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, 2003, the following:

ITEM		FISCAL YEARS	
NO.		2001-2002	2002-2003
(01)	BENEFITS	<u>\$ 150,000,000</u>	<u>\$ 150,000,000</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, 2003, the  
 6 following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) BENEFITS	\$ 10,000,000	\$ 10,000,000

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, 2003, the  
 18 following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) BENEFITS	\$ 5,000,000	\$ 5,000,000

24 SECTION 7. APPROPRIATION - JUDICIAL RETIREMENT PROGRAM. There is hereby  
 25 appropriated, to the Arkansas Public Employees Retirement System, to be  
 26 payable from the Judges Retirement Fund, for operating expenses of the  
 27 Judicial Retirement System by the Arkansas Public Employees Retirement System  
 28 for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(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) INVESTMENTS/BENEFITS/REFUNDS	6,000,000	6,000,000
3	(03) DATA PROCESSING SERVICES	<u>17,500</u>	<u>17,500</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 6,180,889</u>	<u>\$ 6,180,889</u>

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 6 SECTION 8. APPROPRIATION - STATE POLICE RETIREMENT PROGRAM. There is hereby  
 7 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, 2003, the following:

11		FISCAL YEARS	
12	ITEM		
13	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</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	12,000,000	12,000,000
21	(03) DATA PROCESSING SERVICES	<u>28,000</u>	<u>28,000</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$ 12,361,560</u>	<u>\$ 12,361,560</u>

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 24 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 25 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. TRANSFERS. A  
 26 sum not to exceed ~~\$30,102~~ \$31,935 in the ~~1999-2000~~ 2001-2002 fiscal year, and  
 27 ~~\$31,005~~ \$32,893 in the ~~2000-01~~ 2002-2003 fiscal year may be transferred from  
 28 the State Police Retirement Fund to the Arkansas Public Employees Retirement  
 29 System Fund for costs incurred by the Arkansas Public Employees Retirement  
 30 System in administering the State Police Retirement System. Such transfer  
 31 request shall be made to the Chief Fiscal Officer of the State, and upon his  
 32 approval, said transfer shall be made on his books and those of the Treasurer  
 33 of the State and the Auditor of the State. The provisions of this section  
 34 shall be in effect only from July 1, 2001 through June 30, 2003.

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

1 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. CARRY FORWARD.  
2 The remaining balance as of ~~June 30, 2000~~ June 30, 2002, of unexpended  
3 appropriation in Operating Expense, Professional Fees and Capital Outlay in  
4 Section 3 of this Act shall be carried forward into fiscal year ~~2000-01~~ 2002-  
5 2003 to be used for the same purposes. The provisions of this section shall be  
6 in effect only from July 1, 2001 through June 30, 2003.

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8 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
9 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. JUDICIAL  
10 RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$18,025~~ \$19,122 in the ~~1999-~~  
11 ~~2000~~ 2001-2002 fiscal year, and ~~\$18,565~~ \$19,696 in the ~~2000-01~~ 2002-2003  
12 fiscal year may be transferred from the Judges Retirement Fund to the Arkansas  
13 Public Employees Retirement System Fund for costs incurred by the Arkansas  
14 Public Employees Retirement System in administering the Judicial Retirement  
15 System. Such transfer request shall be made to the Chief Fiscal Officer of  
16 the State, and upon his approval, said transfer shall be made on his books and  
17 those of the Treasurer of the State and the Auditor of the State. The  
18 provisions of this section shall be in effect only from July 1, 2001 through  
19 June 30, 2003.

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21 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
22 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. EXEMPTION FROM  
23 PRIOR REVIEW. The Arkansas Public Employees Retirement System is hereby  
24 exempted from seeking prior review by the Arkansas Legislative Council with  
25 regard to transfers between the Benefits line item in the Cash Fund  
26 Appropriation and the Investment/Benefits/Refund line item in the Operational  
27 Appropriation which are specifically related to transfers necessitated by the  
28 changes in retirees' selection of the method of payment of retirement  
29 benefits. All other provisions of Arkansas Code §19-4-522 shall be  
30 applicable. The provisions of this section shall be in effect only from July  
31 1, 2001 through June 30, 2003.

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33 SECTION 13. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
34 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
35 appropriations as provided in this Act, the agency disbursing officer shall  
36 monitor the level of fund balances in relation to expenditures on a monthly

1 basis. If any proposed expenditures would cause a fund balance to decline to  
2 less than fifty percent (50%) of the balance available on July 1, 2001, the  
3 disbursing officer shall immediately notify the executive head of the agency.

4 Prior to any obligations being made under these circumstances, the agency  
5 head shall file written documentation with the Chief Fiscal Officer of the  
6 State requesting approval of the expenditures. Such documentation shall  
7 provide sufficient financial data to justify the expenditures and shall  
8 include the following:

9 1) a plan that clearly indicates the specific fiscal impact of such  
10 expenditures on the fund balance.

11 2) information clearly indicating and explaining what programs would be cut or  
12 any other measures to be taken by the agency to restore the fund balance.

13 3) the extent to which any of the planned expenditures are for one-time costs  
14 or one-time purchase of capitalized items.

15 4) a statement certifying that the expenditure of fund balances will not  
16 jeopardize the financial health of the agency, nor result in a permanent  
17 depletion of the fund balance.

18 (B) The Chief Fiscal Officer of the State shall review the request and  
19 approve or disapprove all or any part of the request , after having sought  
20 prior review by the Legislative Council.

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22 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
23 by this act shall be limited to the appropriation for such agency and funds  
24 made available by law for the support of such appropriations; and the  
25 restrictions of the State Purchasing Law, the General Accounting and Budgetary  
26 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures  
27 and Restrictions Act, or their successors, and other fiscal control laws of  
28 this State, where applicable, and regulations promulgated by the Department of  
29 Finance and Administration, as authorized by law, shall be strictly complied  
30 with in disbursement of said funds.

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32 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General Assembly  
33 that any funds disbursed under the authority of the appropriations contained  
34 in this act shall be in compliance with the stated reasons for which this act  
35 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
36 and Legislative Recommendations contained in the budget manuals prepared by

1 the Department of Finance and Administration, letters, or summarized oral  
2 testimony in the official minutes of the Arkansas Legislative Council or Joint  
3 Budget Committee which relate to its passage and adoption.

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5 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General  
6 Assembly, that the Constitution of the State of Arkansas prohibits the  
7 appropriation of funds for more than a two (2) year period; that the  
8 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
9 agency for which the appropriations in this Act are provided, and that in the  
10 event of an extension of the Regular Session, the delay in the effective date  
11 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
12 administration and provision of essential governmental programs. Therefore, an  
13 emergency is hereby declared to exist and this Act being necessary for the  
14 immediate preservation of the public peace, health and safety shall be in full  
15 force and effect from and after July 1, 2001.

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