

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 85th General Assembly  
3 Regular Session, 2005  
4

*As Engrossed: H3/10/05*

# A Bill

HOUSE BILL 1306

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
11 PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE  
12 BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR  
13 OTHER PURPOSES.  
14

## Subtitle

15 AN ACT FOR THE ARKANSAS PUBLIC  
16 EMPLOYEES RETIREMENT SYSTEM  
17 APPROPRIATION FOR THE 2005-2007  
18 BIENNIUM.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. *REGULAR SALARIES - PUBLIC EMPLOYEE RETIREMENT SYSTEM.* There is  
26 hereby established for the Arkansas Public Employees Retirement System for  
27 the 2005-2007 biennium, the following maximum number of regular employees  
28 whose salaries shall be governed by the provisions of the Uniform  
29 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or  
30 its successor, and all laws amendatory thereto. Provided, however, that any  
31 position to which a specific maximum annual salary is set out herein in  
32 dollars, shall be exempt from the provisions of said Uniform Classification  
33 and Compensation Act. All persons occupying positions authorized herein are  
34 hereby governed by the provisions of the Regular Salaries Procedures and  
35 Restrictions Act (Arkansas Code §21-5-101), or its successor.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				2005-2006	2006-2007
5	(1) 9977	PERS DIRECTOR	1	\$130,424	\$133,290
6	(2) 9029	PERS DEPUTY DIRECTOR	1	\$91,762	\$94,038
7	(3) 9028	PERS ASSOC DIR - INVESTMENTS	1	\$69,476	\$71,346
8	(4) 037Z	INFORMATION SYSTEMS MANAGER	1	GRADE	25
9	(5) 297Z	GENERAL BUSINESS MANAGER	1	GRADE	24
10	(6) 608Z	PERS MEMBER SERVICES MANAGER	1	GRADE	23
11	(7) 610Z	PERS PROG MGR/ADMIN SVCS	1	GRADE	23
12	(8) D046	SYSTEMS APPLICATIONS SUPERVISOR	1	GRADE	23
13	(9) R017	PERS INFORMATION SERVICES MGR	1	GRADE	23
14	(10) D124	LEAD PROGRAMMER/ANALYST	1	GRADE	22
15	(11) A097	RETIREMENT COUNSELOR SUPERVISOR	2	GRADE	21
16	(12) A132	APERS MANAGER/SUPERVISOR MEMBERSHIP	2	GRADE	21
17	(13) A164	RETIREMENT FUND INVESTMENT SUPV	1	GRADE	21
18	(14) A056	INTERNAL AUDITOR	1	GRADE	20
19	(15) A061	SENIOR INVESTMENT SPECIALIST	5	GRADE	20
20	(16) A062	SENIOR RETIREMENT COUNSELOR	12	GRADE	20
21	(17) D121	USER SUPPORT ANALYST	1	GRADE	20
22	(18) A124	ACCOUNTING SERVICES REP II	1	GRADE	20
23	(19) R266	MANAGEMENT PROJECT ANALYST II	3	GRADE	20
24	(20) R150	RESEARCH PROJECT ANALYST	1	GRADE	19
25	(21) A110	ACCOUNTANT II	1	GRADE	19
26	(22) A111	ACCOUNTANT	1	GRADE	18
27	(23) R010	ADMINISTRATIVE ASSISTANT II	1	GRADE	17
28	(24) K046	APERS CALL CENTER AGENT	2	GRADE	17
29	(25) A108	ACCOUNTING TECHNICIAN II	3	GRADE	15
30	(26) A092	REPORTING SPECIALIST III	7	GRADE	15
31	(27) K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE	14
32	(28) K153	SECRETARY II	4	GRADE	13
33	MAX. NO. OF EMPLOYEES		60		

SECTION 2. *EXTRA HELP - PUBLIC EMPLOYEE RETIREMENT SYSTEM.* There is hereby authorized, for the Arkansas Public Employees Retirement System for

1 the 2005-2007 biennium, the following maximum number of part-time or  
 2 temporary employees, to be known as "Extra Help", payable from funds  
 3 appropriated herein for such purposes: four (4) temporary or part-time  
 4 employees, when needed, at rates of pay not to exceed those provided in the  
 5 Uniform Classification and Compensation Act, or its successor, or this act  
 6 for the appropriate classification.

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 8 *SECTION 3. APPROPRIATION - PUBLIC EMPLOYEE RETIREMENT OPERATIONS. There is*  
 9 *hereby appropriated, to the Arkansas Public Employees Retirement System, to*  
 10 *be payable from the Arkansas Public Employees' Retirement System Fund, for*  
 11 *personal services and operating expenses of the Arkansas Public Employees*  
 12 *Retirement System for the biennial period ending June 30, 2007, the*  
 13 *following:*

<i>ITEM</i>	<i>FISCAL YEARS</i>	
<u><i>NO.</i></u>	<u><i>2005-2006</i></u>	<u><i>2006-2007</i></u>
<i>(01) REGULAR SALARIES</i>	\$ 2,241,176	\$ 2,306,301
<i>(02) EXTRA HELP</i>	25,000	25,000
<i>(03) PERSONAL SERVICES MATCHING</i>	650,533	662,666
<i>(04) MAINT. &amp; GEN. OPERATION</i>		
<i>(A) OPER. EXPENSE</i>	862,473	862,473
<i>(B) CONF. &amp; TRAVEL</i>	22,500	22,500
<i>(C) PROF. FEES</i>	4,700,671	4,700,671
<i>(D) CAP. OUTLAY</i>	0	0
<i>(E) DATA PROC.</i>	0	0
<i>(05) BENEFITS-NON-EMP.</i>	36,000,000	36,000,000
<i>(06) REFUND/REIMBURSEMENTS</i>	25,000,000	25,000,000
<i>(07) DATA PROCESSING SERVICES</i>	<u>1,700,000</u>	<u>1,700,000</u>
<i>TOTAL AMOUNT APPROPRIATED</i>	<u>\$ 71,202,353</u>	<u>\$ 71,279,611</u>

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 31 *SECTION 4. APPROPRIATIONS - PUBLIC EMPLOYEE RETIREMENT CASH. There is*  
 32 *hereby appropriated, to the Arkansas Public Employees Retirement System, to*  
 33 *be payable from cash funds as defined by Arkansas Code 19-4-801 of the*  
 34 *Arkansas Public Employees Retirement System, for payment to beneficiaries by*  
 35 *check or wired transfer by the Arkansas Public Employees Retirement System*  
 36 *for the biennial period ending June 30, 2007, the following:*

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ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) BENEFITS	<u>\$ 200,000,000</u>	<u>\$ 210,000,000</u>

SECTION 5. APPROPRIATION - STATE POLICE RETIREMENT OPERATIONS. There is hereby appropriated, to the Arkansas Public Employees Retirement System, to be payable from the State Police Retirement Fund, for operating expenses of the State Police Retirement System by the Arkansas Public Employees Retirement System for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 12,610	\$ 12,610
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	320,950	320,950
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(02) BENEFITS-NON-EMP.	8,000,000	8,000,000
(03) REFUND/REIMBURSEMENTS	6,000,000	6,000,000
(04) DATA PROCESSING SERVICES	<u>28,000</u>	<u>28,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 14,361,560</u>	<u>\$ 14,361,560</u>

SECTION 6. APPROPRIATIONS - STATE POLICE RETIREMENT CASH. There is hereby appropriated, to the Arkansas Public Employees Retirement System, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas Public Employees Retirement System, for payment to beneficiaries of the State Police Retirement System by check or wired transfer by the Arkansas Public Employees Retirement System for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) BENEFITS	<u>\$ 12,500,000</u>	<u>\$ 13,000,000</u>

SECTION 7. APPROPRIATION - JUDICIAL RETIREMENT OPERATIONS. There is hereby appropriated, to the Arkansas Public Employees Retirement System, to be payable from the Judges Retirement Fund, for operating expenses of the Judicial Retirement System by the Arkansas Public Employees Retirement System for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(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
(E) DATA PROC.	0	0
(02) BENEFITS-NON-EMP.	4,000,000	4,000,000
(03) REFUND/REIMBURSEMENTS	2,000,000	2,000,000
(04) DATA PROCESSING SERVICES	<u>17,500</u>	<u>17,500</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 6,180,889</u>	<u>\$ 6,180,889</u>

SECTION 8. APPROPRIATIONS - JUDICIAL RETIREMENT CASH. There is hereby appropriated, to the Arkansas Public Employees Retirement System, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas Public Employees Retirement System, for payment to beneficiaries of the Judicial Retirement System by check or wired transfer by the Arkansas Public Employees Retirement System for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) BENEFITS	<u>\$ 9,600,000</u>	<u>\$ 9,800,000</u>

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 2 SECTION 9. APPROPRIATION - ARKANSAS DISTRICT JUDGES RETIREMENT OPERATIONS.  
 3 There is hereby appropriated, to the Arkansas Public Employees Retirement  
 4 System, to be payable from the District Retirement Judges Fund, for operating  
 5 expenses of the Arkansas District Judges Retirement Program by the Arkansas  
 6 Public Employees Retirement System for the biennial period ending June 30,  
 7 2007, the following:

ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 10,000	\$ 10,000
(B) CONF. & TRAVEL	10,000	10,000
(C) PROF. FEES	580,000	2,062,500
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(02) BENEFITS-NON-EMP.	100,000	100,000
(03) REFUND/REIMBURSEMENTS	100,000	100,000
(04) DATA PROCESSING SERVICES	<u>1,500,000</u>	<u>17,500</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,300,000</u>	<u>\$ 2,300,000</u>

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 23 SECTION 10. APPROPRIATIONS - ARKANSAS DISTRICT JUDGES RETIREMENT CASH. There  
 24 is hereby appropriated, to the Arkansas Public Employees Retirement System,  
 25 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the  
 26 Arkansas Public Employees Retirement System, for payment to beneficiaries of  
 27 the Arkansas District Judges Retirement Program by check or wired transfer by  
 28 the Arkansas Public Employees Retirement System for the biennial period  
 29 ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007
(01) BENEFITS	<u>\$ 600,000</u>	<u>\$ 600,000</u>

36 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
2 FORWARD. The remaining balance as of June 30, ~~2004~~ 2006, of unexpended  
3 ~~appropriation for the Agency Operations/Administration Program and available~~  
4 ~~to be used for Operating Expense, up to \$765,393; Professional Fees, up to~~  
5 ~~\$4,981,959; and Capital Outlay, up to 25,000~~ appropriation in Operating  
6 Expense, Professional Fees and Capital Outlay in Section 3 of this Act shall  
7 be carried forward into fiscal year ~~2004-2005~~ 2006-2007 to be used for the  
8 same purposes.

9 The provisions of this section shall be in effect only from July 1, ~~2003~~  
10 2005 through June 30, ~~2005~~ 2007.

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12 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUDICIAL  
14 RETIREMENT FUND TRANSFERS. A sum not to exceed \$25,256 ~~\$20,681~~ in the ~~2003-~~  
15 ~~2004~~ 2005-2006 fiscal year, and \$26,014 ~~\$21,715~~ in the ~~2004-2005~~ 2006-2007  
16 fiscal year may be transferred from the Judges Retirement Fund to the  
17 Arkansas Public Employees Retirement System Fund for costs incurred by the  
18 Arkansas Public Employees Retirement System in administering the Judicial  
19 Retirement System. Such transfer request shall be made to the Chief Fiscal  
20 Officer of the State, and upon his approval, said transfer shall be made on  
21 his books and those of the Treasurer of the State and the Auditor of the  
22 State. The provisions of this section shall be in effect only from July 1,  
23 ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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25 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
27 POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed \$42,007 ~~\$34,538~~ in the  
28 ~~2003-2004~~ 2005-2006 fiscal year, and \$43,267 ~~\$36,265~~ in the ~~2004-2005~~ 2006-  
29 2007 fiscal year may be transferred from the State Police Retirement Fund to  
30 the Arkansas Public Employees Retirement System Fund for costs incurred by  
31 the Arkansas Public Employees Retirement System in administering the State  
32 Police Retirement System. Such transfer request shall be made to the Chief  
33 Fiscal Officer of the State, and upon his approval, said transfer shall be  
34 made on his books and those of the Treasurer of the State and the Auditor of  
35 the State.

36 The provisions of this section shall be in effect only from July 1, ~~2003~~

1 2005 through June 30, ~~2005~~ 2007.

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3 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISTRICT  
5 JUDGES RETIREMENT FUND TRANSFERS. A sum not to exceed \$59,269 in the ~~2003-~~  
6 ~~2004~~ 2005-2006 fiscal year, and \$126,003 in the ~~2004-2005~~ 2006-2007 fiscal  
7 year may be transferred from the District Judges Retirement Fund to the  
8 Arkansas Public Employees Retirement System Fund for costs incurred by the  
9 Arkansas Public Employees Retirement System in administering the District  
10 Judge Retirement Fund. Such transfer request shall be made to the Chief  
11 Fiscal Officer of the State, and upon his approval, said transfer shall be  
12 made on his books and those of the Treasurer of the State and the Auditor of  
13 the State.

14 The provisions of this section shall be in effect only from July 1, ~~2003~~  
15 2005 through June 30, ~~2005~~ 2007.

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17 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR  
18 PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. EXEMPTION FROM PRIOR  
19 REVIEW. The Arkansas Public Employees Retirement System is hereby exempted  
20 from seeking prior review by the Arkansas Legislative Council with regard to  
21 transfers between the Benefits line item in the Cash Fund Appropriation and  
22 the Benefits-Non-Employee line item in the Operations Appropriation which are  
23 specifically related to transfers necessitated by the changes in retirees'  
24 selection of the method of payment of retirement benefits. All other  
25 provisions of Arkansas Code §19-4-522 shall be applicable. The provisions of  
26 this section shall be in effect only from July 1, 2005 through June 30, 2007.

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28 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
29 by this act shall be limited to the appropriation for such agency and funds  
30 made available by law for the support of such appropriations; and the  
31 restrictions of the State Procurement Law, the General Accounting and  
32 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
33 Procedures and Restrictions Act, or their successors, and other fiscal  
34 control laws of this State, where applicable, and regulations promulgated by  
35 the Department of Finance and Administration, as authorized by law, shall be  
36 strictly complied with in disbursement of said funds.



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

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11 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the General  
12 Assembly, that the Constitution of the State of Arkansas prohibits the  
13 appropriation of funds for more than a two (2) year period; that the  
14 effectiveness of this Act on July 1, 2005 is essential to the operation of  
15 the agency for which the appropriations in this Act are provided, and that in  
16 the event of an extension of the Regular Session, the delay in the effective  
17 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
18 proper administration and provision of essential governmental programs.  
19 Therefore, an emergency is hereby declared to exist and this Act being  
20 necessary for the immediate preservation of the public peace, health and  
21 safety shall be in full force and effect from and after July 1, 2005.

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23 /s/ Joint Budget Committee  
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