

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 H3/25/05

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	<u>4</u>	GRADE 13	
33		MAX. NO. OF EMPLOYEES	60		

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35 SECTION 2. *EXTRA HELP - PUBLIC EMPLOYEE RETIREMENT SYSTEM.* There is
36 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:*

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15 <i>ITEM</i>	<i>FISCAL YEARS</i>	
16 <u><i>NO.</i></u>	<u><i>2005-2006</i></u>	<u><i>2006-2007</i></u>
17 (01) <i>REGULAR SALARIES</i>	\$ 2,241,176	\$ 2,306,301
18 (02) <i>EXTRA HELP</i>	25,000	25,000
19 (03) <i>PERSONAL SERVICES MATCHING</i>	650,533	662,666
20 (04) <i>MAINT. & GEN. OPERATION</i>		
21 (A) <i>OPER. EXPENSE</i>	862,473	862,473
22 (B) <i>CONF. & TRAVEL</i>	22,500	22,500
23 (C) <i>PROF. FEES</i>	4,700,671	4,700,671
24 (D) <i>CAP. OUTLAY</i>	0	0
25 (E) <i>DATA PROC.</i>	0	0
26 (05) <i>BENEFITS-NON-EMP.</i>	36,000,000	36,000,000
27 (06) <i>REFUND/REIMBURSEMENTS</i>	25,000,000	25,000,000
28 (07) <i>DATA PROCESSING SERVICES</i>	<u>1,700,000</u>	<u>1,700,000</u>
29 <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>

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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>

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

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

SECTION 10. APPROPRIATIONS - ARKANSAS DISTRICT JUDGES 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 Arkansas District Judges Retirement Program by check or wired transfer by the Arkansas Public Employees Retirement System for the biennial period ending June 30, 2007, the following:

<i>ITEM</i>	<i>FISCAL YEARS</i>	
	<i>2005-2006</i>	<i>2006-2007</i>
<i>NO.</i>		
<i>(01) BENEFITS</i>	<u>\$ 1,600,000</u>	<u>\$ 1,600,000</u>

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 ~~\$34,538~~ \$42,007 in the
28 ~~2003-2004~~ 2005-2006 fiscal year, and ~~\$36,265~~ 43,267 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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