

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 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 1154

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, 2009; AND FOR  
13 OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE ARKANSAS PUBLIC  
17 EMPLOYEES RETIREMENT SYSTEM  
18 APPROPRIATION FOR THE 2007-2009  
19 BIENNIUM.  
20  
21  
22

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

25 SECTION 1. REGULAR SALARIES - PUBLIC EMPLOYEE RETIREMENT SYSTEM. There is  
26 hereby established for the Arkansas Public Employees Retirement System for  
27 the 2007-2009 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.  
36



Item	Class		Maximum	Maximum Annual	
No.	Code	Title	No. of	Salary Rate	
			Employees	2007-2008	2008-2009
5	(1) 9977	PERS DIRECTOR	1	\$135,955	\$138,674
6	(2) 9029	PERS DEPUTY DIRECTOR	1	\$95,918	\$97,836
7	(3) 9516	ASSOCIATE DIR OF FISCAL AFFAIRS	1	\$86,700	\$88,434
8	(4) 9028	PERS ASSOC DIR - INVESTMENTS	1	\$72,772	\$74,227
9	(5) 037Z	INFORMATION SYSTEMS MANAGER	1	GRADE 25	
10	(6) 297Z	GENERAL BUSINESS MANAGER	1	GRADE 24	
11	(7) 608Z	PERS MEMBER SERVICES MANAGER	1	GRADE 23	
12	(8) 610Z	PERS PROG MGR/ADMIN SVCS	1	GRADE 23	
13	(9) D046	SYSTEMS APPLICATIONS SUPERVISOR	1	GRADE 23	
14	(10) R017	PERS INFORMATION SERVICES MGR	1	GRADE 23	
15	(11) D124	LEAD PROGRAMMER/ANALYST	1	GRADE 22	
16	(12) A132	APERS MANAGER/SUPERVISOR MEMBERSHIP	2	GRADE 21	
17	(13) A164	RETIREMENT FUND INVESTMENT SUPV	1	GRADE 21	
18	(14) A097	RETIREMENT COUNSELOR SUPERVISOR	2	GRADE 21	
19	(15) A124	ACCOUNTING SERVICES REP II	1	GRADE 20	
20	(16) A056	INTERNAL AUDITOR	1	GRADE 20	
21	(17) A061	SENIOR INVESTMENT SPECIALIST	5	GRADE 20	
22	(18) A062	SENIOR RETIREMENT COUNSELOR	14	GRADE 20	
23	(19) D121	USER SUPPORT ANALYST	1	GRADE 20	
24	(20) R266	MANAGEMENT PROJECT ANALYST II	3	GRADE 20	
25	(21) R150	RESEARCH PROJECT ANALYST	1	GRADE 19	
26	(22) A110	ACCOUNTANT II	3	GRADE 19	
27	(23) A111	ACCOUNTANT	1	GRADE 18	
28	(24) R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
29	(25) K046	APERS CALL CENTER AGENT	2	GRADE 17	
30	(26) A108	ACCOUNTING TECHNICIAN II	3	GRADE 15	
31	(27) A092	REPORTING SPECIALIST III	9	GRADE 15	
32	(28) K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
33	(29) K153	SECRETARY II	4	GRADE 13	
34		MAX. NO. OF EMPLOYEES	67		

SECTION 2. EXTRA HELP - PUBLIC EMPLOYEE RETIREMENT SYSTEM. There is

1 hereby authorized, for the Arkansas Public Employees Retirement System for  
 2 the 2007-2009 biennium, the following maximum number of part-time or  
 3 temporary employees, to be known as "Extra Help", payable from funds  
 4 appropriated herein for such purposes: four (4) temporary or part-time  
 5 employees, when needed, at rates of pay not to exceed those provided in the  
 6 Uniform Classification and Compensation Act, or its successor, or this act  
 7 for the appropriate classification.

8

9 SECTION 3. APPROPRIATION - PUBLIC EMPLOYEE RETIREMENT OPERATIONS. There is  
 10 hereby appropriated, to the Arkansas Public Employees Retirement System, to  
 11 be payable from the Arkansas Public Employees' Retirement System Fund, for  
 12 personal services and operating expenses of the Arkansas Public Employees  
 13 Retirement System for the biennial period ending June 30, 2009, the  
 14 following:

15

ITEM	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 2,473,583	\$ 2,630,889
(02) EXTRA HELP	50,000	50,000
(03) PERSONAL SERVICES MATCHING	785,211	835,143
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	1,127,473	1,127,473
(B) CONF. & TRAVEL	22,500	22,500
(C) PROF. FEES	4,150,171	4,125,171
(D) CAP. OUTLAY	6,000	0
(E) DATA PROC.	1,700,000	1,700,000
(05) BENEFITS-NON EMPLOYEE	36,000,000	36,000,000
(06) REFUNDS/REIMBURSEMENTS	<u>29,000,000</u>	<u>29,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 75,314,938</u>	<u>\$ 75,491,176</u>

30

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, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) BENEFITS	\$ 235,000,000	\$ 235,000,000

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, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 57,610	\$ 57,610
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	285,950	285,950
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(02) BENEFITS-NON EMPLOYEE	8,500,000	9,000,000
(03) REFUNDS/REIMBURSEMENTS	<u>6,500,000</u>	<u>7,500,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 15,343,560</u>	<u>\$ 16,843,560</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, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) BENEFITS	\$ 14,000,000	\$ 15,500,000

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, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 25,510	\$ 25,510
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	137,879	137,879
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	17,500	17,500
(02) BENEFITS-NON EMPLOYEE	4,000,000	4,000,000
(03) REFUNDS/REIMBURSEMENTS	<u>2,000,000</u>	<u>2,000,000</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, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) BENEFITS	<u>\$ 11,000,000</u>	<u>\$ 13,000,000</u>

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 Judges Retirement 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, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 30,000	\$ 30,000
(B) CONF. & TRAVEL	10,000	10,000
(C) PROF. FEES	2,042,500	2,042,500
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(02) BENEFITS-NON EMPLOYEE	100,000	100,000
(03) REFUNDS/REIMBURSEMENTS	<u>100,000</u>	<u>100,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,282,500</u>	<u>\$ 2,282,500</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, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) BENEFITS	<u>\$ 3,000,000</u>	<u>\$ 3,000,000</u>

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. The remaining balance as of June 30, ~~2006~~ 2008, of unexpended appropriation in Operating Expense, Professional Fees and Capital Outlay in Section 3 of this Act shall be carried forward into fiscal year ~~2006-2007~~ 2008-2009 to be used for the same purposes.

Any carry forward of unexpended balance of appropriation and/or funding as authorized herein, may be carried forward under the following conditions:  
(1) Prior to June 30, 2008 the Agency shall by written statement set forth its reason(s) for the need to carry forward said appropriation and/or funding to the Department of Finance and Administration Office of Budget;

1 (2) The Department of Finance and Administration Office of Budget shall  
 2 report to the Arkansas Legislative Council all amounts carried forward from  
 3 the first fiscal year of the biennium to the second fiscal year of the  
 4 biennium by the September Arkansas Legislative Council or Joint Budget  
 5 Committee meeting in the second fiscal year of the biennial period which  
 6 report shall include the name of the Agency, Board, Commission or Institution  
 7 and the amount of the appropriation and/or funding carried forward from the  
 8 first fiscal year to the second fiscal year, the program name or line item,  
 9 the funding source of that appropriation and a copy of the written request  
 10 set forth in (1) above;

11 (3) Each Agency, Board, Commission or Institution shall provide a written  
 12 report to the Arkansas Legislative Council or Joint Budget Committee  
 13 containing all information set forth in item (2) above, along with a written  
 14 statement as to the current status of the project, contract, purpose etc. for  
 15 which the carry forward was originally requested no later than thirty (30)  
 16 days prior to the time the Agency, Board, Commission or Institution presents  
 17 its budget request to the Arkansas Legislative Council/Joint Budget  
 18 Committee; and

19 (4) Thereupon, the Department of Finance and Administration shall include  
 20 all information obtained in item (3) above in the biennial budget manuals  
 21 and/or a statement of non-compliance by the Agency, Board, Commission or  
 22 Institution.

23 The provisions of this section shall be in effect only from July 1, 2005  
 24 2007 through June 30, ~~2007~~ 2009.

25  
 26 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUDICIAL  
 28 RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$25,256~~ \$26,014 in the ~~2005-~~  
 29 ~~2006~~ 2007-2008 fiscal year, and ~~\$26,014~~ \$26,794 in the ~~2006-2007~~ 2008-2009  
 30 fiscal year may be transferred from the Judges Retirement Fund to the  
 31 Arkansas Public Employees Retirement System Fund for costs incurred by the  
 32 Arkansas Public Employees Retirement System in administering the Judicial  
 33 Retirement System. Such transfer request shall be made to the Chief Fiscal  
 34 Officer of the State, and upon his approval, said transfer shall be made on  
 35 his books and those of the Treasurer of the State and the Auditor of the  
 36 State. The provisions of this section shall be in effect only from July 1,

1 ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

2  
 3 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
 5 POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$42,007~~ \$43,267 in the  
 6 ~~2005-2006~~ 2007-2008 fiscal year, and ~~\$43,267~~ \$44,565 in the ~~2006-2007~~ 2008-  
 7 2009 fiscal year may be transferred from the State Police Retirement Fund to  
 8 the Arkansas Public Employees Retirement System Fund for costs incurred by  
 9 the Arkansas Public Employees Retirement System in administering the State  
 10 Police Retirement System. 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, ~~2005~~  
 15 2007 through June 30, ~~2007~~ 2009.

16  
 17 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISTRICT  
 19 JUDGES RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$59,269~~ \$129,783 in the  
 20 ~~2005-2006~~ 2007-2008 fiscal year, and ~~\$126,003~~ \$133,676 in the ~~2006-2007~~ 2008-  
 21 2009 fiscal year may be transferred from the District Judges Retirement Fund  
 22 to the Arkansas Public Employees Retirement System Fund for costs incurred by  
 23 the Arkansas Public Employees Retirement System in administering the District  
 24 Judge Retirement Fund. Such transfer request shall be made to the Chief  
 25 Fiscal Officer of the State, and upon his approval, said transfer shall be  
 26 made on his books and those of the Treasurer of the State and the Auditor of  
 27 the State.

28 The provisions of this section shall be in effect only from July 1, ~~2005~~  
 29 2007 through June 30, ~~2007~~ 2009.

30  
 31 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXEMPTION  
 33 FROM PRIOR REVIEW. The Arkansas Public Employees Retirement System is hereby  
 34 exempted from seeking prior review by the Arkansas Legislative Council with  
 35 regard to transfers between the Benefits line item in the Cash Fund  
 36 Appropriation and the Benefits-Non-Employee line item in the Operations



1 Appropriation which are specifically related to transfers necessitated by the  
 2 changes in retirees' selection of the method of payment of retirement  
 3 benefits. All other provisions of Arkansas Code §19-4-522 shall be  
 4 applicable. The provisions of this section shall be in effect only from July  
 5 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

6  
 7 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 8 by this act shall be limited to the appropriation for such agency and funds  
 9 made available by law for the support of such appropriations; and the  
 10 restrictions of the State Procurement Law, the General Accounting and  
 11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 12 Procedures and Restrictions Act, or their successors, and other fiscal  
 13 control laws of this State, where applicable, and regulations promulgated by  
 14 the Department of Finance and Administration, as authorized by law, shall be  
 15 strictly complied with in disbursement of said funds.

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

25  
 26 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the General  
 27 Assembly, that the Constitution of the State of Arkansas prohibits the  
 28 appropriation of funds for more than a two (2) year period; that the  
 29 effectiveness of this Act on July 1, 2007 is essential to the operation of  
 30 the agency for which the appropriations in this Act are provided, and that in  
 31 the event of an extension of the Regular Session, the delay in the effective  
 32 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
 33 proper administration and provision of essential governmental programs.  
 34 Therefore, an emergency is hereby declared to exist and this Act being  
 35 necessary for the immediate preservation of the public peace, health and  
 36 safety shall be in full force and effect from and after July 1, 2007.