

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

As Engrossed: H3/9/07 H3/26/07

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 AN ACT FOR THE ARKANSAS PUBLIC
16 EMPLOYEES RETIREMENT SYSTEM
17 APPROPRIATION FOR THE 2007-2009
18 BIENNIUM.
19
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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	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2007-2008	2008-2009
(1)	9977	PERS DIRECTOR	1	\$150,000	\$153,000
(2)	9029	PERS DEPUTY DIRECTOR	1	\$95,918	\$97,836
(3)	9516	ASSOCIATE DIR OF FISCAL AFFAIRS	1	\$86,700	\$88,434
(4)	9028	PERS ASSOC DIR - INVESTMENTS	1	\$72,772	\$74,227
(5)	037Z	INFORMATION SYSTEMS MANAGER	1	GRADE 25	
(6)	R170	STAFF ATTORNEY	1	GRADE 25	
(7)	297Z	GENERAL BUSINESS MANAGER	1	GRADE 24	
(8)	608Z	PERS MEMBER SERVICES MANAGER	1	GRADE 23	
(9)	610Z	PERS PROG MGR/ADMIN SVCS	1	GRADE 23	
(10)	D046	SYSTEMS APPLICATIONS SUPERVISOR	1	GRADE 23	
(11)	R017	PERS INFORMATION SERVICES MGR	1	GRADE 23	
(12)	D124	LEAD PROGRAMMER/ANALYST	1	GRADE 22	
(13)	A132	APERS MANAGER/SUPERVISOR MEMBERSHIP	2	GRADE 21	
(14)	A164	RETIREMENT FUND INVESTMENT SUPV	1	GRADE 21	
(15)	A097	RETIREMENT COUNSELOR SUPERVISOR	2	GRADE 21	
(16)	A124	ACCOUNTING SERVICES REP II	1	GRADE 20	
(17)	A056	INTERNAL AUDITOR	1	GRADE 20	
(18)	A061	SENIOR INVESTMENT SPECIALIST	5	GRADE 20	
(19)	A062	SENIOR RETIREMENT COUNSELOR	14	GRADE 20	
(20)	D121	USER SUPPORT ANALYST	1	GRADE 20	
(21)	R266	MANAGEMENT PROJECT ANALYST II	3	GRADE 20	
(22)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19	
(23)	A110	ACCOUNTANT II	4	GRADE 19	
(24)	A111	ACCOUNTANT	1	GRADE 18	
(25)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
(26)	K046	APERS CALL CENTER AGENT	2	GRADE 17	
(27)	A108	ACCOUNTING TECHNICIAN II	3	GRADE 15	
(28)	A092	REPORTING SPECIALIST III	9	GRADE 15	
(29)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
(30)	K153	SECRETARY II	4	GRADE 13	
		MAX. NO. OF EMPLOYEES	69		

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

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

17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
19	(01) REGULAR SALARIES	\$ 2,541,489	\$ 2,700,152
20	(02) EXTRA HELP	50,000	50,000
21	(03) PERSONAL SERVICES MATCHING	807,858	858,074
22	(04) MAINT. & GEN. OPERATION		
23	(A) OPER. EXPENSE	1,393,473	1,385,973
24	(B) CONF. & TRAVEL	42,500	42,500
25	(C) PROF. FEES	4,150,171	4,125,171
26	(D) CAP. OUTLAY	6,000	0
27	(E) DATA PROC.	1,700,000	1,700,000
28	(05) BENEFITS-NON EMPLOYEE	36,000,000	36,000,000
29	(06) REFUNDS/REIMBURSEMENTS	<u>29,000,000</u>	<u>29,000,000</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$ 75,691,491</u>	<u>\$ 75,861,870</u>

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

1 for the biennial period ending June 30, 2009, the following:

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

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7 SECTION 5. APPROPRIATION - STATE POLICE RETIREMENT OPERATIONS. There is
 8 hereby appropriated, to the Arkansas Public Employees Retirement System, to
 9 be payable from the State Police Retirement Fund, for operating expenses of
 10 the State Police Retirement System by the Arkansas Public Employees
 11 Retirement System for the biennial period ending June 30, 2009, the
 12 following:

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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>

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26 SECTION 6. APPROPRIATIONS - STATE POLICE RETIREMENT CASH. There is hereby
 27 appropriated, to the Arkansas Public Employees Retirement System, to be
 28 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
 29 Public Employees Retirement System, for payment to beneficiaries of the State
 30 Police Retirement System by check or wired transfer by the Arkansas Public
 31 Employees Retirement System for the biennial period ending June 30, 2009, the
 32 following:

33

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

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2 SECTION 7. APPROPRIATION - JUDICIAL RETIREMENT OPERATIONS. There is hereby
3 appropriated, to the Arkansas Public Employees Retirement System, to be
4 payable from the Judges Retirement Fund, for operating expenses of the
5 Judicial Retirement System by the Arkansas Public Employees Retirement System
6 for the biennial period ending June 30, 2009, the following:

8 ITEM	FISCAL YEARS	
9 NO.	2007-2008	2008-2009
10 (01) MAINT. & GEN. OPERATION		
11 (A) OPER. EXPENSE	\$ 25,510	\$ 25,510
12 (B) CONF. & TRAVEL	0	0
13 (C) PROF. FEES	137,879	137,879
14 (D) CAP. OUTLAY	0	0
15 (E) DATA PROC.	17,500	17,500
16 (02) BENEFITS-NON EMPLOYEE	4,000,000	4,000,000
17 (03) REFUNDS/REIMBURSEMENTS	<u>2,000,000</u>	<u>2,000,000</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$ 6,180,889</u>	<u>\$ 6,180,889</u>

19
20 SECTION 8. APPROPRIATIONS - JUDICIAL RETIREMENT CASH. There is hereby
21 appropriated, to the Arkansas Public Employees Retirement System, to be
22 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
23 Public Employees Retirement System, for payment to beneficiaries of the
24 Judicial Retirement System by check or wired transfer by the Arkansas Public
25 Employees Retirement System for the biennial period ending June 30, 2009, the
26 following:

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

31
32 SECTION 9. APPROPRIATION - ARKANSAS DISTRICT JUDGES RETIREMENT OPERATIONS.
33 There is hereby appropriated, to the Arkansas Public Employees Retirement
34 System, to be payable from the District Judges Retirement Fund, for operating
35 expenses of the Arkansas District Judges Retirement Program by the Arkansas
36 Public Employees Retirement System for the biennial period ending June 30,

1 2009, the following:

2

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

14

15 SECTION 10. APPROPRIATIONS - ARKANSAS DISTRICT JUDGES RETIREMENT CASH.

16 There is hereby appropriated, to the Arkansas Public Employees Retirement
 17 System, to be payable from cash funds as defined by Arkansas Code 19-4-801 of
 18 the Arkansas Public Employees Retirement System, for payment to beneficiaries
 19 of the Arkansas District Judges Retirement Program by check or wired transfer
 20 by the Arkansas Public Employees Retirement System for the biennial period
 21 ending June 30, 2009, the following:

22

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

26

27 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 29 FORWARD. The remaining balance as of June 30, ~~2006~~ 2008, of unexpended
 30 appropriation in Operating Expense, Professional Fees and Capital Outlay in
 31 Section 3 of this Act shall be carried forward into fiscal year ~~2006-2007~~
 32 2008-2009 to be used for the same purposes.

33 Any carry forward of unexpended balance of appropriation and/or funding as
 34 authorized herein, may be carried forward under the following conditions:

35 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
 36 its reason(s) for the need to carry forward said appropriation and/or funding

1 to the Department of Finance and Administration Office of Budget;

2 (2) The Department of Finance and Administration Office of Budget shall

3 report to the Arkansas Legislative Council all amounts carried forward from

4 the first fiscal year of the biennium to the second fiscal year of the

5 biennium by the September Arkansas Legislative Council or Joint Budget

6 Committee meeting in the second fiscal year of the biennial period which

7 report shall include the name of the Agency, Board, Commission or Institution

8 and the amount of the appropriation and/or funding carried forward from the

9 first fiscal year to the second fiscal year, the program name or line item,

10 the funding source of that appropriation and a copy of the written request

11 set forth in (1) above;

12 (3) Each Agency, Board, Commission or Institution shall provide a written

13 report to the Arkansas Legislative Council or Joint Budget Committee

14 containing all information set forth in item (2) above, along with a written

15 statement as to the current status of the project, contract, purpose etc. for

16 which the carry forward was originally requested no later than thirty (30)

17 days prior to the time the Agency, Board, Commission or Institution presents

18 its budget request to the Arkansas Legislative Council/Joint Budget

19 Committee; and

20 (4) Thereupon, the Department of Finance and Administration shall include

21 all information obtained in item (3) above in the biennial budget manuals

22 and/or a statement of non-compliance by the Agency, Board, Commission or

23 Institution.

24 The provisions of this section shall be in effect only from July 1, 2005

25 2007 through June 30, ~~2007~~ 2009.

26

27 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUDICIAL

29 RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$25,256~~ \$26,014 in the ~~2005-~~

30 ~~2006~~ 2007-2008 fiscal year, and ~~\$26,014~~ \$26,794 in the ~~2006-2007~~ 2008-2009

31 fiscal year may be transferred from the Judges Retirement Fund to the

32 Arkansas Public Employees Retirement System Fund for costs incurred by the

33 Arkansas Public Employees Retirement System in administering the Judicial

34 Retirement System. Such transfer request shall be made to the Chief Fiscal

35 Officer of the State, and upon his approval, said transfer shall be made on

36 his books and those of the Treasurer of the State and the Auditor of the

1 State. The provisions of this section shall be in effect only from July 1,
2 ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

3
4 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
6 POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$42,007~~ \$43,267 in the
7 ~~2005-2006~~ 2007-2008 fiscal year, and ~~\$43,267~~ \$44,565 in the ~~2006-2007~~ 2008-
8 2009 fiscal year may be transferred from the State Police Retirement Fund to
9 the Arkansas Public Employees Retirement System Fund for costs incurred by
10 the Arkansas Public Employees Retirement System in administering the State
11 Police Retirement System. Such transfer request shall be made to the Chief
12 Fiscal Officer of the State, and upon his approval, said transfer shall be
13 made on his books and those of the Treasurer of the State and the Auditor of
14 the State.

15 The provisions of this section shall be in effect only from July 1, ~~2005~~
16 2007 through June 30, ~~2007~~ 2009.

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

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

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

1 Appropriation and the Benefits-Non-Employee line item in the Operations
2 Appropriation which are specifically related to transfers necessitated by the
3 changes in retirees' selection of the method of payment of retirement
4 benefits. All other provisions of Arkansas Code §19-4-522 shall be
5 applicable. The provisions of this section shall be in effect only from July
6 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

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

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

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

1 safety shall be in full force and effect from and after July 1, 2007.

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/s/ Joint Budget Committee

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