

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/6/09
A Bill

HOUSE BILL 1120

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 FISCAL
12 YEAR ENDING JUNE 30, 2010; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE ARKANSAS PUBLIC
17 EMPLOYEES RETIREMENT SYSTEM
18 APPROPRIATION FOR THE 2009-2010 FISCAL
19 YEAR.
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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 2009-2010 fiscal year, 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	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2009-2010
(1)	U014U	APERS DIRECTOR	1	\$160,650
(2)	U078U	APERS DEPUTY DIRECTOR	1	\$102,727
(3)	N096N	APERS ASST DIRECTOR OF FINANCE	1	GRADE N906
(4)	N159N	APERS INVESTMENT OPERATIONS MANAGER	1	GRADE N901
(5)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
(6)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
(7)	A027C	ACCOUNTING OPERATIONS MANAGER	1	GRADE C125
(8)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
(9)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
(10)	A034C	RETIREMENT SECTION MANAGER	4	GRADE C123
(11)	D044C	SYSTEMS ANALYST	1	GRADE C122
(12)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
(13)	A066C	INTERNAL AUDITOR	1	GRADE C119
(14)	A062C	RETIREMENT COORDINATOR	5	GRADE C119
(15)	A082C	ACCOUNTANT II	7	GRADE C117
(16)	D071C	COMPUTER SUPPORT ANALYST	0	GRADE C117
(17)	A079C	INVESTMENT ANALYST	4	GRADE C117
(18)	A078C	RETIREMENT COUNSELOR	14	GRADE C117
(19)	P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
(20)	A083C	RETIREMENT ANALYST	4	GRADE C116
(21)	X115C	SOCIAL SECURITY ANALYST	1	GRADE C116
(22)	D077C	HELP DESK SPECIALIST	2	GRADE C115
(23)	C056C	ADMINISTRATIVE SPECIALIST III	3	GRADE C112
(24)	R037C	BENEFITS TECHNICIAN	12	GRADE C112
(25)	C073C	ADMINISTRATIVE SPECIALIST II	4	GRADE C109
MAX. NO. OF EMPLOYEES			73	

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32 SECTION 2. EXTRA HELP - PUBLIC EMPLOYEE RETIREMENT SYSTEM. There is
 33 hereby authorized, for the Arkansas Public Employees Retirement System for
 34 the 2009-2010 fiscal year, the following maximum number of part-time or
 35 temporary employees, to be known as "Extra Help", payable from funds
 36 appropriated herein for such purposes: six (6) temporary or part-time

1 employees, when needed, at rates of pay not to exceed those provided in the
 2 Uniform Classification and Compensation Act, or its successor, or this act
 3 for the appropriate classification.

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 5 SECTION 3. APPROPRIATION - PUBLIC EMPLOYEE RETIREMENT OPERATIONS. There is
 6 hereby appropriated, to the Arkansas Public Employees Retirement System, to
 7 be payable from the Arkansas Public Employees' Retirement System Fund, for
 8 personal services and operating expenses of the Arkansas Public Employees
 9 Retirement System for the fiscal year ending June 30, 2010, the following:

11 ITEM	FISCAL YEAR
12 <u>NO.</u>	<u>2009-2010</u>
13 (01) REGULAR SALARIES	\$ 2,995,466
14 (02) EXTRA HELP	75,000
15 (03) PERSONAL SERVICES MATCHING	958,217
16 (04) MAINT. & GEN. OPERATION	
17 (A) OPER. EXPENSE	1,607,473
18 (B) CONF. & TRAVEL	42,500
19 (C) PROF. FEES	5,825,171
20 (D) CAP. OUTLAY	30,000
21 (E) DATA PROC.	0
22 (05) BENEFITS-NON EMPLOYEE	36,000,000
23 (06) REFUNDS/REIMBURSEMENTS	<u>49,000,000</u>
24 TOTAL AMOUNT APPROPRIATED	<u>\$ 96,533,827</u>

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 26 SECTION 4. APPROPRIATION - PUBLIC EMPLOYEE RETIREMENT CASH. There is
 27 hereby appropriated, to the Arkansas Public Employees Retirement System, to
 28 be payable from cash funds as defined by Arkansas Code 19-4-801 of the
 29 Arkansas Public Employees Retirement System, for payment to beneficiaries by
 30 check or wired transfer by the Arkansas Public Employees Retirement System
 31 for the fiscal year ending June 30, 2010, the following:

33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2009-2010</u>
35 (01) BENEFITS	<u>\$ 335,000,000</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 fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 77,610
(B) CONF. & TRAVEL	0
(C) PROF. FEES	265,950
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(02) BENEFITS-NON EMPLOYEE	10,000,000
(03) REFUNDS/REIMBURSEMENTS	<u>10,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 20,343,560</u>

SECTION 6. APPROPRIATION - 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 fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) BENEFITS	<u>\$ 25,000,000</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 fiscal year ending June 30, 2010, the following:

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2009-2010</u>
3	(01) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	\$ 40,510
5	(B) CONF. & TRAVEL	0
6	(C) PROF. FEES	122,879
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	0
9	(02) BENEFITS-NON EMPLOYEE	4,000,000
10	(03) REFUNDS/REIMBURSEMENTS	<u>5,000,000</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$ 9,163,389</u>

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13 SECTION 8. APPROPRIATION - JUDICIAL RETIREMENT CASH. There is hereby
 14 appropriated, to the Arkansas Public Employees Retirement System, to be
 15 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
 16 Public Employees Retirement System, for payment to beneficiaries of the
 17 Judicial Retirement System by check or wired transfer by the Arkansas Public
 18 Employees Retirement System for the fiscal year ending June 30, 2010, the
 19 following:

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21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2009-2010</u>
23	(01) BENEFITS	<u>\$ 15,000,000</u>

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25 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUDICIAL
 27 RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$26,014~~ \$27,598 in the ~~2007-~~
 28 ~~2008~~ 2009-2010 fiscal year may be transferred from the Judges Retirement Fund
 29 to the Arkansas Public Employees Retirement System Fund for costs incurred by
 30 the Arkansas Public Employees Retirement System in administering the Judicial
 31 Retirement System. Such transfer request shall be made to the Chief Fiscal
 32 Officer of the State, and upon his approval, said transfer shall be made on
 33 his books and those of the Treasurer of the State and the Auditor of the
 34 State.

35 The provisions of this section shall be in effect only from July 1,
 36 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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2 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
4 POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$43,267~~ \$45,902 in the
5 ~~2007-2008~~ 2009-2010 fiscal year may be transferred from the State Police
6 Retirement Fund to the Arkansas Public Employees Retirement System Fund for
7 costs incurred by the Arkansas Public Employees Retirement System in
8 administering the State Police Retirement System. Such transfer request
9 shall be made to the Chief Fiscal Officer of the State, and upon his
10 approval, said transfer shall be made on his books and those of the Treasurer
11 of the State and the Auditor of the State.

12 The provisions of this section shall be in effect only from July 1, ~~2007~~
13 2009 through June 30, ~~2009~~ 2010.

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15 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXEMPTION
17 FROM PRIOR REVIEW. The Arkansas Public Employees Retirement System is hereby
18 exempted from seeking prior review by the Arkansas Legislative Council with
19 regard to transfers between the Benefits line item in the Cash Fund
20 Appropriation and the Benefits-Non-Employee line item in the Operations
21 Appropriation which are specifically related to transfers necessitated by the
22 changes in retirees' selection of the method of payment of retirement
23 benefits. All other provisions of Arkansas Code §19-4-522 shall be
24 applicable.

25 The provisions of this section shall be in effect only from July 1,
26 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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28 SECTION 12. 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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SECTION 13. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 14. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2009 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2009 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2009.

/s/ Joint Budget Committee