

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1010

4 By: Representative Hinshaw

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For An Act To Be Entitled

8 *"AN ACT TO AMEND ARKANSAS CODE 24-4-101 TO INCLUDE PUBLIC*
9 *FACILITIES BOARD; REGIONAL SOLID WASTE MANAGEMENT BOARD;*
10 *JOINT COUNTY AND MUNICIPAL SANITATION AUTHORITY; AND*
11 *REGIONAL WATER DISTRIBUTION BOARD WITHIN THE DEFINITIONS*
12 *OF 'PARTICIPATING PUBLIC EMPLOYER' AND TO ADD THE*
13 *DEFINITION PUBLIC FACILITIES BOARD; REGIONAL SOLID WASTE*
14 *MANAGEMENT BOARD; AND REGIONAL WATER DISTRIBUTION BOARD TO*
15 *THE ARKANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM LAW; AND*
16 *TO AMEND ARKANSAS CODE 24-4-202 TO PROVIDE FOR THESE*
17 *PUBLIC EMPLOYERS TO PAY EMPLOYER CONTRIBUTIONS; AND FOR*
18 *OTHER PURPOSES."*

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Subtitle

21 *"AN ACT TO INCLUDE PUBLIC FACILITY BOARD*
22 *EMPLOYEES, REGIONAL SOLID WASTE*
23 *MANAGEMENT BOARD EMPLOYEES, JOINT COUNTY*
24 *AND MUNICIPAL SANITATION AUTHORITY, AND*
25 *REGIONAL WATER DISTRIBUTION BOARD*
26 *EMPLOYEES WITHIN THE ARKANSAS PUBLIC*
27 *EMPLOYEES RETIREMENT SYSTEM LAW."*

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29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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31 *SECTION 1. Subdivision (5) of Arkansas Code 24-4-101 is amended to*
32 *read as follows:*

33 *"(5) 'Participating public employer' means any county, municipality,*
34 *regional airport authority, public facilities board, regional solid waste*
35 *management board, joint county and municipal sanitation authority, or*

1 regional water distribution board, in the state whose employees are included
2 in the membership of the system;"

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4 SECTION 2. Subdivision (9) of Arkansas Code 24-4-101 is amended to
5 read as follows:

6 "(9) 'Nonstate employees' means county employees, municipal employees
7 regional airport authority employees, public facilities board employees,
8 regional solid waste management board employees, joint county and municipal
9 sanitation authority employees, regional water distribution board employees
10 and school employees;"

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12 SECTION 3. Arkansas Code 24-4-101 is amended to add new subdivisions
13 (27), (28), (29), and (30) to read as follows:

14 "(27) 'Public Facilities Board' means any public facilities board
15 created under the Public Facilities Board Act, Arkansas Code 14-137-101 et
16 seq., which has chosen by a majority vote of the full-time employees to
17 participate in the Arkansas Public Employees Retirement System."

18 (28) 'Regional Solid Waste Management Board' means any regional solid
19 waste management board defined under Arkansas Code 8-6-701 et seq., which has
20 chosen by a majority vote of the full-time employees to participate in the
21 Arkansas Public Employees Retirement System."

22 (29) 'Regional Water Distribution Board' means any regional water
23 distribution board created under the Regional Water Distribution Act,
24 Arkansas Code 14-116-101 et seq., which has chosen by a majority vote of the
25 full-time employees to participate in the Arkansas Public Employees
26 Retirement System.

27 (30) 'Joint County and Municipal Sanitation Authority' means any
28 sanitation authority created under the Joint County and Municipal Solid Waste
29 Disposal Act, Arkansas Code §§ 14-233-101 et seq., which has chosen by a
30 majority vote of its full-time employees to participate in the Arkansas
31 Public Employees Retirement System."

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33 SECTION 4. Arkansas Code 24-4-202 is amended to read as follows:

34 "24-4-202. Arkansas Public Employees Retirement System Fund
35 Contributions.

1 (a) The state employer contributions provided for in this act shall be
2 paid by state warrant or bank check by the state agency which employs each
3 member. The employer's contribution shall be paid to the Arkansas Public
4 Employees Retirement System Fund and shall be paid concurrently with the
5 contributions made by its employees to the fund.

6 (b) In the case of employees receiving part or all of their
7 compensations from federal funds, the disbursing officer of the agency
8 receiving the federal funds shall transmit such sums to the Treasurer of
9 State from federal funds of the agency. These sums shall be those sums of
10 money which are necessary to provide the employer contributions, provided for
11 in this act, based on the portions of the employees' compensations payable
12 from federal funds. All contributions received by the Treasurer of State
13 shall be credited to the Arkansas Public Employees Retirement System Fund.

14 (c) In the case of nonstate employees, each participating public
15 employer shall pay into the Arkansas Public Employees Retirement System Fund
16 such sums of money as are necessary to provide the participating public
17 employer's contributions provided for in this act. The participating public
18 employer's contributions shall be paid concurrently with the contributions
19 made by its employees to the fund. The employer's contributions shall be
20 transmitted to the Treasurer of State in such form and manner, together with
21 such supporting data, as the board shall prescribe from time to time.

22 (d) In the case of circuit and chancery court reporters, the public
23 employer contributions shall be paid, when directed by the board, by the
24 respective counties in the proportion that each county pays the total
25 salaries of the circuit and chancery court reporters.

26 (e) In the case of Regional Airport Authority employees, Public
27 Facilities Board employees, Regional Solid Waste Management Board employees,
28 Joint County and Municipal Sanitation Authority employees, and Regional Water
29 Distribution Board employees, each participating employer shall pay into the
30 Arkansas Public Employees Retirement System Fund such sums of money as are
31 necessary to provide the employer's contributions, as directed by the
32 Arkansas Public Employees Retirement System Board. The contributions shall
33 be transmitted to the Arkansas Public Employees Retirement System, together
34 with such supporting data, as the Arkansas Public Employees Retirement System
35 Board shall prescribe from time to time."

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SECTION 5. (a) Any full-time employee of a Public Facilities Board, Regional Solid Waste Management Board, Joint County and Municipal Sanitation Authority, or Regional Water Distribution Board enrolled in the Arkansas Public Employees Retirement System pursuant to this act, who is a full-time employee of a participating Public Facilities Board, Regional Solid Waste Management Board, Joint County and Municipal Sanitation Authority, or Regional Water Distribution Board in this state on the date his employer became, or becomes, a public employer in the System, may apply for and receive current service credit for service rendered as a full-time employee of the Public Facilities Board, Regional Solid Waste Management Board, Joint County and Municipal Sanitation Authority, or Regional Water Distribution Board. The employee shall receive credit only if the employee or employer pays, or causes to be paid, to the Arkansas Public Employees Retirement System Fund all necessary employer contributions and employee contributions, if applicable, that would have been paid had the employee been a member of the Arkansas Public Employees Retirement System during that time, plus interest thereon at the rate directed by the Board of Trustees of the Arkansas Public Employees Retirement System. The employer's contributions and employees' contributions, if applicable, shall be transmitted to the System in the form and manner, together with the supporting data, as the Arkansas Public Employees Retirement System Board of Trustees shall prescribe from time to time.

(b) The governing body of any Public Facilities Board, Regional Solid Waste Management Board, Joint County and Municipal Sanitation Authority, or Regional Water Distribution Board electing to include the full-time employees of the Board within the membership of the Arkansas Public Employees Retirement System may pay the employer contributions and employee contributions, if applicable, on behalf of employees for services rendered.

SECTION 6. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 7. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect
2 other provisions or applications of the act which can be given effect without
3 the invalid provision or application, and to this end the provisions of this
4 act are declared to be severable.

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6 SECTION 8. All laws and parts of laws in conflict with this act are
7 hereby repealed.

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9 SECTION 9. EMERGENCY. It is hereby found and determined by the
10 Eightieth General Assembly of the State of Arkansas that the effectiveness of
11 this act on July 1, 1995, is essential to the operation of the Arkansas
12 Public Employees Retirement System. Therefore, an emergency is hereby
13 declared to exist and this act being necessary for the immediate preservation
14 of the public peace, health and safety shall be in full force and effect from
15 and after July 1, 1995.

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18 /s/Rep. Hinshaw

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