

*As Engrossed: 2/21/91*

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**

# A Bill

**HOUSE BILL 1557**

4 **By: Representatives Horn and Thurman**

5

6

7

## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARK. CODE ANN. §24-3-102 TO INCLUDE  
9 COMPLIANCE OFFICERS OF THE ARKANSAS LIVESTOCK AND POULTRY  
10 COMMISSION AS PUBLIC SAFETY MEMBERS FOR RETIREMENT  
11 PURPOSES; AND FOR OTHER PURPOSES."

12

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

14

15 SECTION 1. Ark. Code Ann. §24-3-102(5) is hereby amended to read as  
16 follows:

17 "(5) 'Public safety member' means a member whose covered employment is  
18 for personal services as a police officer or fire fighter. 'Police officer'  
19 means any regular or permanent employee, whose primary duty is law enforcement  
20 of a municipal police department, a county sheriff's office, or the Arkansas  
21 State Police, including probationary police officers, and shall also include  
22 wildlife officers of the Arkansas State Game and Fish Commission and  
23 compliance officers of the Arkansas Livestock and Poultry Commission. The  
24 term 'police officer' shall not include any civilian employee of a police  
25 department or any person temporarily employed as a police officer during an  
26 emergency. 'Fire fighter' means any regular or permanent employee of a fire  
27 department whose primary duty is fire fighting, including probationary fire  
28 fighters, but the term 'fire fighter' shall not include any civilian of a  
29 fire department or any person temporarily employed as a fire fighter during an  
30 emergency;"

31

32 SECTION 2. Title 24, Chapter 3, Subchapter 1 of the Arkansas Code of  
33 1987 is hereby amended by adding a new section to read as follows:

34 "24-3-107. (a) The additional cost to the system of the inclusion of  
35 compliance officers of the Arkansas Livestock and Poultry Commission in public

1 *safety member service shall be the responsibility of the Arkansas Livestock*  
2 *and Poultry Commission and the commission shall pay to the system any*  
3 *additional percent of covered payroll, as computed by actuarial determination,*  
4 *at the same time as employer contributions are paid by law for other*  
5 *commission employees.*

6 *(b) It is the specific intent of this section to provide that the*  
7 *contributions determined by actuarial valuation shall be in addition to those*  
8 *required by Ark. Code Ann. §24-3-103(c)."*

9

10 SECTION 3. All provisions of this act of a general and permanent nature  
11 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
12 Revision Commission shall incorporate the same in the Code.

13

14 SECTION 4. If any provision of this act or the application thereof to  
15 any person or circumstance is held invalid, such invalidity shall not affect  
16 other provisions or applications of the act which can be given effect without  
17 the invalid provision or application, and to this end the provisions of this  
18 act are declared to be severable.

19

20 SECTION 5. All laws and parts of laws in conflict with this act are  
21 hereby repealed.

22

23 SECTION 6. Emergency. It is hereby found and determined by the  
24 Seventy-Eighth General Assembly of the State of Arkansas that compliance  
25 officers of the Arkansas Livestock and Poultry Commission should be included  
26 as public safety members for retirement purposes; that this act includes these  
27 officers within the definition of "public safety member" as it pertains to the  
28 retirement laws of this state; and that this act is necessary in order for  
29 compliance officers of the Arkansas Livestock and Poultry Commission to  
30 receive the same treatment under the retirement laws of this state as other  
31 compliance officers. Therefore, an emergency is hereby declared to exist and  
32 this act being necessary for the immediate preservation of the public peace,  
33 health and safety shall be in full force and effect from and after its passage  
34 and approval.

35

*/s/Horn and Thurman*