

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1908

By: Representative Mahony

"AN ACT TO AMEND PARAGRAPHS (1) AND (3) OF SUBSECTION B. OF SECTION 6 OF ACT 177 OF 1957, AS AMENDED, [ARK. STATS. ANN. SECTION 12-2505B.(1) and (3)] TO PERMIT THE GOVERNING BODY OF A COUNTY-OWNED HOSPITAL TO ELECT TO EXCLUDE ITS EMPLOYEES FROM MEMBERSHIP IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM; AND FOR OTHER PURPOSES."

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

SECTION 1. Paragraph (1) of subsection B. of Section 6 of Act 177 of 1957, as amended, the same being Arkansas Statutes Section 12-2506 B. (1), is hereby amended to read as follows:

"(1) Any newly constructed county-owned and operated hospital which was first placed in use after December 1, 1975, may by at least a two-thirds (2/3rds) vote of its governing body, elect to exclude the employees of the hospital from membership in the System: Provided, that such election is certified to the Board of Trustees prior to July 1, 1976. However, any such hospital electing to exclude its employees from membership under the provisions of this paragraph, shall require its employees to become members of the System, effective July 1, 1978."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. EMERGENCY. It is hereby found and determined by the General Assembly that because of the case *Ricarte v. State*, CR 86-31, a question has arisen over the validity of Act 1187 of the Extended Session of 1976; that this Act is a reenactment of the former law; and that the immediate passage of this Act is necessary to clarify the state of the law on this issue.

Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

