

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 157 OF 1993
HOUSE BILL 1198

4 **By: Representatives McCuiston and Wooldridge**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 14-250-109 TO REVISE THE
9 METHOD OF DETERMINING THE REPRESENTATION ON THE BOARD OF
10 DIRECTORS OF THE WASTEWATER TREATMENT DISTRICT; AND FOR
11 OTHER PURPOSES."

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Subtitle

**"TO REVISE THE METHOD OF DETERMINING THE
REPRESENTATION ON THE BOARD OF DIRECTORS OF
THE WASTEWATER TREATMENT DISTRICT."**

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

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20 **SECTION 1. Arkansas Code Annotated 14-250-109 is hereby amended to read as**
21 **follows:**

22 **"§ 14-250-109. Board of directors - Appointment.**

23 **(a) All powers granted a district created under this chapter shall be executed by a board of**
24 **directors. The board shall equal a total of nine (9) directors which members shall be**
25 **ascertained by the circuit court according to the population of each entity which is enumerated**
26 **in the formation order creating the district.**

27 **(b) When the circuit court has established any such district it shall, within a**
28 **reasonable time thereafter, appoint one (1) director from each of the entities to act as director**
29 **of said district, and the remaining number of directors as previously ascertained by the court**
30 **shall be appointed by the city council of the entity within which they are domiciled.**

31 **(c) Each of the directors, and all directors appointed thereafter, shall take the oath of**
32 **office required by Arkansas Constitution, Article 19, § 20 and shall also swear that he will not,**
33 **directly or indirectly, be interested in any contract made by the board.**

34 **(1) Any commissioner failing to take the oath within thirty (30) days after his appointment**
35 **or election shall be removed from office, and his place shall be filled as are other vacancies.**

36 **(2) All oaths of directors shall be executed in writing and filed in the office of the circuit**

1 **clerk in the county where the petition was originally filed.**

2 **(d) Each director shall serve a term as set forth in the district's bylaws, but not to exceed**
3 **four (4) years. Initial appointments shall be of varying lengths so that no more than one (1)**
4 **director for each entity shall be replaced at any one time.**

5 **(e) Three (3) directors shall be appointed by the governing body of each participating entity**
6 **which they are to represent.**

7 **(f) The petition shall be filed with the county board of election commissioners at least sixty**
8 **(60) days prior to the general election.**

9 **(g) Any director who resigns or vacates his office for any reason other than expiration of his**
10 **term shall be replaced by the entity he represented."**

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12 **SECTION 2. All provisions of this act of a general and permanent nature are**
13 **amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision**
14 **Commission shall incorporate the same in the Code.**

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16 **SECTION 3. If any provision of this act or the application thereof to any person or**
17 **circumstance is held invalid, such invalidity shall not affect other provisions or applications of**
18 **the act which can be given effect without the invalid provision or application, and to this end**
19 **the provisions of this act are declared to be severable.**

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21 **SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.**

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APPROVED: 2/17/93

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