

General Assembly
lar Session, 1987

Representative Irma H. Brown and Walker

HOUSE BILL 1834

"AN ACT TO PROVIDE THAT IN ANY CITY IN THIS STATE NOW OR
HEREAFTER HAVING A POPULATION OF 100,000 OR MORE INHABITANTS
ACCORDING TO THE MOST RECENT DECENNIAL FEDERAL CENSUS, AND
HAVING A CITY MANAGER FORM OF GOVERNMENT, THAT AN ELECTION
SHALL BE HELD IN WHICH THE QUALIFIED ELECTORS OF THE CITY
SHALL VOTE ON THE QUESTION OF WHETHER THE CITY SHOULD BE
DIVIDED INTO SEVEN WARDS HAVING SUBSTANTIALLY EQUAL POPULA-
TION FROM WHICH SHALL BE ELECTED THE SEVEN MEMBERS OF THE
CITY BOARD OF MANAGERS; AND FOR OTHER PURPOSES."

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

SECTION 1. In any city in this State having a city manager form of government which now or hereafter has a population of 100,000 or more inhabitants according to the most recent decennial federal census, the city manager board of such city shall cause a special election to be held within ninety (90) days after the effective date of this Act, or within ninety (90) days after the certification of the results of the decennial federal census in which it is determined that said city has a population of 100,000 or more inhabitants, at which special election the qualified electors of the city shall vote on the question of whether members of the city manager board of said city shall be elected on the basis of seven (7) districts, or wards, having substantially equal population, with one (1) member of the city manager board being elected from each of said seven districts, or wards.

The governing body of any city affected by this Act shall notify the county board of election commissioners of said county of the date on which such special election shall be held, and shall publish notice thereof by inserting said notice in one or more newspapers having general circulation in the city at least thirty (30) days prior to the date of said election.

The ballot title to be used in such election shall be certified by the city manager board of such city to the county board of election commissioners, and shall be substantially in the following form:

FOR the election of the members of the city manager board of the City of_(name_of_city) from seven (7) districts, or wards, having substantially equal population.

AGAINST the election of the members of the city manager board of the City of_(name_of_city) from seven (7) districts, or wards, having substantially equal population.

The election shall be conducted, and the results thereof shall be tabulated and certified, in the manner provided by law for municipal elections in this State.

If the governing body of the city shall fail or refuse to call the special election in the manner provided in this Act, any aggrieved citizen may petition the circuit court of the county for the issuance of an order compelling the calling of the election, to be held by the county board of election commissioners in the manner provided in this Act.

If a majority of the qualified electors of the city voting on said issue at such election shall vote FOR the election of the members of the city manager board from seven districts, or wards, in the city having substantially equal population, the county board of election commissioners shall, within sixty (60) days after the date of said election, divide the city into seven (7) districts, or wards, having substantially equal population according to the most recent federal decennial census, and shall certify the same to the mayor and governing board of the city, and said districts, or wards, shall be used for the election of the seven (7) members of the city manager board at the next-following general municipal election.

The terms of members then serving on the city board of managers shall cease to exist upon the election of the seven members of the city board of managers, in the manner provided in this Act.

If a majority of the qualified electors of the city voting on said issue at such election shall vote AGAINST the election of the members of the city manager board from seven districts, or wards, in the city having substantially equal population, the city board of managers serving said city shall continue

to be elected in the manner provided by law.

Any person desiring to challenge the results of an election held under the provisions of this Act shall file such challenge in the circuit court of the county in which the city is located within thirty (30) days from the date of said election. If no election challenge is filed within such period, the results of the election shall become final. Appeals from the ruling of the circuit court may be made to the Supreme Court in the manner provided by law.

SECTION 2. In all cities in which the qualified electors of the city vote to elect members of the city board of managers from seven (7) districts having substantially equal population, as provided in this Act, a candidate for election to a city manager board position shall be a resident and qualified elector of the district, or ward, from which he/she seeks election. If any member of the city manager board shall move from the district, or ward, from which elected, but still resides within the city, said member may continue to serve as a member of the city manager board until the next-following general election, at which time a successor, who shall be a resident and qualified elector of the district or ward, shall be elected to serve the unexpired portion of the term of such member. If any member of the city manager board shall move his residence outside the city, a vacancy shall be deemed to exist and the city manager board shall elect a person who is a resident and qualified elector of the district or ward in which the vacancy occurs to serve until the next-following regular municipal election, at which time a qualified successor shall be elected to fill such position for the unexpired portion of the term thereof.

SECTION 3. The members of the city board of managers first elected under the provisions of this Act shall determine, by lot, their respective terms in order that the terms of four (4) members shall be for two (2) years, and the terms of three (3) members shall be for four (4) years. Successor members shall be elected for terms of four (4) years.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

