

"AN ACT TO AMEND SECTION 2 OF ACT 973 OF 1985 [ARK. STATS. 20-1704.2], WHICH AMENDED ACT 142 OF 1975 [ARK. STATS. 20-1701 ET SEQ.], TO DEFINE THE TERM 'OTHER CAPITAL IMPROVEMENT FACILITIES' AS USED IN SAID ACT; TO AMEND SUBSECTION (a) OF SECTION 6 OF ACT 142 OF 1975 AS AMENDED, [ARK. STATS. 20-1706 (a)] TO PROVIDE THAT MEMBERS OF PUBLIC FACILITIES BOARDS SHALL RECEIVE NO COMPENSATION BUT SHALL BE ENTITLED TO REIMBURSEMENT FOR NECESSARY EXPENSES; AND FOR OTHER PURPOSES."

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

SECTION 1. That Section 2 of Act 973 of 1985, the same being Section 20-1704.2 of the Arkansas Statutes, is hereby amended to read as follows:

"Section 2. As used in Section 4 of Act 142 of 1975, as amended, and as amended by Section 1 of this Act, the term 'other capital improvement facilities' means any of the following: city or town halls, courthouses, and administrative, executive or other public offices; court facilities; jails; police and sheriff stations, apparatus and facilities; fire fighting facilities and apparatus; public health facilities and apparatus; hospitals, nursing homes and similar extended-care facilities; residential housing for low and moderate income, elderly or handicapped persons and families; parking facilities and garages; educational and training facilities for public employees; auditoriums; stadiums; convention, meeting or entertainment facilities; ambulance and other emergency medical service facilities; civil defense facilities; air and water pollution control facilities; drainage and flood control facilities; storm sewers; arts and crafts centers; museums; libraries; public parks, playgrounds or other public open space; marinas; swimming pools, tennis courts, golf courses, camping facilities, gymnasiums and other recreational facilities; tourist information and assistance centers; historical, cultural, natural, or folklore sites; fair and exhibition facilities; streets and street lighting, alleys, sidewalks, roads, bridges and viaducts; airports, passenger or freight terminals, hangars and related facilities; barge terminals, ports, harbors, ferries, wharves, docks and similar marine services, slack water harbors, water resource facilities, waterfront development facilities, and navigational facilities; public transportation facilities; public water systems and related transmission and distribution facilities, storage facilities, wells, impounding reservoirs, treatment plants, lakes, dams, watercourses, and water rights, sewer collection systems and treatment plants; maintenance and storage buildings and facilities; incinerators; garbage and solid waste collection disposal, compacting, and recycling facilities of every kind; gas and electric generation, transmission and distribution systems, including without limiting the generality of the foregoing hydroelectric generating facilities, dams, power houses, and related facilities; and social and rehabilitative service facilities."

SECTION 2. Subsection (a) of Section 6 of Act 142 of 1975, as amended, the same being Arkansas Statute 20-1706(a), is hereby amended to read as follows:

"(a) Each Board shall consist of five (5) members. The initial members shall be appointed by the mayor of the creating municipality or the county judge of the creating county for terms of one (1), two (2), three (3), four (4) and five (5) years, respectively. Successor members shall be elected by a

majority of the Board for terms of five (5) years each. Each member shall qualify by taking and filing with the Clerk of the municipality or county creating the Board his oath of office in which he shall swear to support the Constitution of the United States and the Constitution of the State of Arkansas and to discharge faithfully his duties in the manner provided by law. Each member shall serve until his successor is elected and qualified. In the event of a vacancy in the membership of the Board, however caused, a majority of the Board shall elect a successor member to serve the unexpired term. A member shall be eligible to succeed himself. The members of the Board shall meet and organize by electing one (1) of their number as chairman, one (1) as vice-chairman, one (1) as secretary, and one (1) as treasurer, and such officers shall be elected annually thereafter in like manner. The duties of secretary and treasurer may be performed by the same member. The Board may also appoint an executive director who shall not be a member of the Board and who shall serve at the pleasure of the Board and receive such compensation as shall be fixed by the Board. The members of the Board shall receive no compensation for their services, but shall be entitled to reimbursement for reasonable and necessary expenses incurred in the performance of their duties. Any member of the Board may be removed for misfeasance, malfeasance or willful neglect of duty, by the mayor of the municipality or the county judge of the county, as the case may be, which created the Board after reasonable notice of and an opportunity to be heard concerning the alleged grounds for removal."

SECTION 3. REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. EMERGENCY. It has been found and is hereby declared by the General Assembly of the State of Arkansas that for the benefit of the people of this State, the increase of their commerce, welfare, and prosperity, and the improvement and maintenance of their health and living conditions, it is essential and necessary that additional means be provided to assist in the financing of public facilities to which this Act pertains. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the preservation of the public peace, health and safety, shall take effect and be in full force from and after its passage and approval.

APPROVED: April 13, 1987

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