

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1929

5 By: Representatives Kerr, Love, Williams, Allen, Mayberry, T. Baker
6 By: Senator Elliott
7

For An Act To Be Entitled

8
9 AN ACT CONCERNING THE MEMBERSHIP OF A MUNICIPAL PORT
10 AUTHORITY AND TO DECLARE AN EMERGENCY; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

14
15 CONCERNING THE MEMBERSHIP OF A MUNICIPAL
16 PORT AUTHORITY AND TO DECLARE AN
17 EMERGENCY.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 14-186-203 is amended to read as follows:
23 14-186-203. Creation of authority – Members.

24 (a)(1) The municipal port authority shall be created by ordinance of
25 the governing body of the city or town and shall be an instrumentality of the
26 city or town creating the authority.

27 (2)(A) Any city or incorporated town in the State of Arkansas
28 shall have the right, by ordinance, to create and set up a port authority.

29 (B) The authority shall consist of and be governed by a
30 board of not less than five (5) members and not more than seven (7) members,
31 one (1) of whom may be the mayor of the city or incorporated town creating
32 the authority.

33 (i) If the mayor is a member of the port authority,
34 the mayor shall be ~~chairman~~ chair.

35 (ii) If the mayor is not a member of the port
36 authority, the ~~chairman~~ chair shall be elected by the members of the



1 authority.

2 (b)(1) The members shall be appointed by the mayor of the city or town
 3 creating the authority and shall be qualified electors residing in the city
 4 or town or within the county in which the city or town is located.

5 (2)(A)(i) The members of the board shall be appointed for a
 6 period of one (1) year, two (2) years, three (3) years, four (4) years, and
 7 five (5) years, respectively, ~~so that the term of one (1) member shall expire~~
 8 ~~each year after the creation of the municipal port authority.~~

9 (ii) If the authority consists of more than five (5)
 10 members, the new members shall initially be appointed for staggered terms so
 11 that in no year will more than two (2) members be appointed to a full five-
 12 year term.

13 (B)(i) Upon the termination of office of each member, his
 14 successor shall be appointed for a term of five (5) years and shall serve
 15 until his successor ~~shall have~~ has been appointed and qualified.

16 (ii) In the event of a vacancy, however caused, the
 17 successor shall be appointed by the mayor for the unexpired term.

18 (3)(A) The board shall elect one (1) of their number as vice
 19 ~~chairman~~ chair and shall elect a secretary and a treasurer who need not
 20 necessarily be members of the board.

21 (B) The authority shall require a surety bond of the
 22 treasurer appointee in such amount as the authority may fix, and the premiums
 23 on it shall be paid by the authority as a necessary expense of the authority.

24 (4) The board shall meet upon the call of its ~~chairman~~ chair. A
 25 majority of all of its members shall constitute a quorum for the transaction
 26 of business.

27 (5) The members of the authority shall receive such compensation
 28 for their services as shall be determined and prescribed by the ordinance
 29 setting up and creating the authority.

30
 31 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
 32 General Assembly of the State of Arkansas that the need for greater citizen
 33 input into the operations of a municipal port authority is essential to the
 34 public health, safety, and welfare; that this expansion of the authority
 35 would allow cities to have great citizen input; and that this act is
 36 immediately necessary because all cities should be able to expand this

1 authority as soon as possible. Therefore, an emergency is declared to exist
2 and this act being immediately necessary for the preservation of the public
3 peace, health, and safety shall become effective on:

4 (1) The date of its approval by the Governor;

5 (2) If the bill is neither approved nor vetoed by the Governor,
6 the expiration of the period of time during which the Governor may veto the
7 bill; or

8 (3) If the bill is vetoed by the Governor and the veto is
9 overridden, the date the last house overrides the veto.

10
11
12 **APPROVED: 03/30/2011**
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36