

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Gordon**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 14-284-208 TO PROVIDE FOR A
9 SEVEN (7) MEMBER BOARD OF COMMISSIONERS FOR FIRE
10 PROTECTION DISTRICTS CONTAINING TERRITORY IN TWO (2)
11 COUNTIES; AND FOR OTHER PURPOSES."

12
13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

14
15 SECTION 1 Arkansas Code 14-284-208 is amended to read as follows:

16 "14-284-208. Order for establishment - Board of commissioners -
17 Appointment - Compensation.

18 (a) If at an election a majority of the qualified electors voting on
19 the question vote "FOR" the establishment of the proposed fire protection
20 district and the levy of assessed benefits to support the district or if an
21 ordinance of the quorum court establishing a district is sustained, the county
22 court shall enter an order establishing the district as described in the
23 petitions or ordinance and shall appoint five (5) qualified electors of the
24 district as a board of commissioners for the district.

25 (b)(1) Two (2) members of the commission shall be appointed for terms
26 of two (2) years and three (3) members of the commission shall be appointed
27 for terms of three (3) years.

28 (2) All successor members shall be appointed by the county court
29 for terms of three (3) years. All appointments shall be subject to
30 confirmation by the quorum court of the county.

31 (3) The members of the boards of commissioners of fire protection
32 districts formed after July 3, 1989, under this subchapter shall be elected at
33 a public meeting called by the county court. The commissioners shall be
34 elected by the qualified electors residing within the district.

35 (c) Vacancies occurring on the board because of resignation, removal,

1 or otherwise shall be filled by the county court for the unexpired term.

2 (d) The members of the board shall serve without compensation but shall
3 be entitled to actual expenses incurred in attending meetings in an amount not
4 to exceed fifty dollars (\$50.00) per month for each member of the board as
5 authorized by the quorum court of the county.

6 (e) Members of the board may be removed from office by the county court
7 for good cause shown.

8 (f)(1) If the district includes territory from two (2) counties, the
9 board of commissioners shall be composed of seven (7) members. Four (4)
10 members shall be appointed by the quorum court of the county in which most of
11 the residents of the district reside. The remaining three (3) members shall
12 be appointed by the quorum court of the other county. The members shall be
13 appointed for staggered terms of three (3) years.

14 (2) The initial members of the board of commissioners shall
15 determine their terms by lot so that two (2) members have a term of one (1)
16 year, two (2) members have a term of two (2) years and three (3) members have
17 a term of three (3) years."

18

19 SECTION 2. (a) A fire protection district created under Arkansas Code
20 Title 14, Chapter 284, Subchapter 2 which is in existence on the effective
21 date of this act and which is composed of territory in two (2) counties shall
22 add two (2) members. The additional members shall be appointed in a manner to
23 meet the requirements of Arkansas Code 14-284-208(f)(1). If the addition of
24 the two (2) members is not sufficient to meet the requirements of Arkansas
25 Code 14-284-208(f)(1) then the next vacancy occurring on the board of
26 commissioners shall be filled by an appointment by the quorum court of the
27 county which is under represented on the board.

28 (b) The two (2) additional members shall serve for terms of three (3)
29 years but the initial term of service of the members shall be made in such a
30 manner that the terms of service of at least two (2) commissioners expire each
31 year.

32

33 SECTION 3. All provisions of this act of a general and permanent nature
34 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
35 Revision Commission shall incorporate the same in the Code.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. All laws or parts of laws in conflict with this act are hereby repealed.