

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

A Bill

HOUSE BILL

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

14 "TO REVISE THE METHOD OF DETERMINING THE REPRESENTATION ON
15 THE BOARD OF DIRECTORS OF THE WASTEWATER TREATMENT
16 DISTRICT."

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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
21 as follows:

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

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

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

33 (c) Each of the directors, and all directors appointed thereafter,
34 shall take the oath of office required by Arkansas Constitution, Article 19, §
35 20 and shall also swear that he will not, directly or indirectly, be

1 interested in any contract made by the board.

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

5 (2) All oaths of directors shall be executed in writing and filed in the
6 office of the circuit clerk in the county where the petition was originally
7 filed.

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

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

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

16 (g) Any director who resigns or vacates his office for any reason other
17 than expiration of his term shall be replaced by the entity he represented."
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19 SECTION 2. All provisions of this act of a general and permanent nature
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
21 Revision Commission shall incorporate the same in the Code.
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23 SECTION 3. If any provision of this act or the application thereof to
24 any person or circumstance is held invalid, such invalidity shall not affect
25 other provisions or applications of the act which can be given effect without
26 the invalid provision or application, and to this end the provisions of this
27 act are declared to be severable.
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29 SECTION 4. All laws and parts of laws in conflict with this act are
30 hereby repealed.
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