

As Engrossed: 2/5/91, 3/18/91

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

A BILL ACT 735 OF 1991
SENATE BILL 237

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 14-186-203 (a) TO PROVIDE
9 THAT A MAYOR SHALL HAVE THE OPTION TO APPOINT AN
10 ADDITIONAL MEMBER TO THE MUNICIPAL PORT AUTHORITY IN LIEU
11 OF THE MAYOR SERVING ON THE PORT AUTHORITY; AND FOR OTHER
12 PURPOSES."

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

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16 SECTION 1. Arkansas Code 14-186-203(a) is amended to read as follows:

17 "(a) (1) The municipal port authority shall be created by ordinance of
18 the governing body of the city or town and shall be an instrumentality of the
19 city or town creating the authority.

20 (2) Any city or incorporated town in the State of Arkansas shall
21 have the right, by ordinance, to create and set up a port authority. The
22 authority shall consist of and be governed by a board of five (5) members, one
23 (1) of whom may be the mayor of the city or incorporated town creating the
24 authority . If the mayor is a member of the port authority, the mayor shall
25 be chairman. If the mayor is not a *member of the port authority, the chairman*
26 *shall be elected by the members of the authority.*"

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28 SECTION 2. All provisions of this act of a general and permanent nature
29 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
30 Revision Commission shall incorporate the same in the Code.

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32 SECTION 3. If any provision of this act or the application thereof to
33 any person or circumstance is held invalid, such invalidity shall not affect
34 other provisions or applications of the act which can be given effect without
35 the invalid provision or application, and to this end the provisions of this
36 act are declared to be severable.

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SECTION 4. All laws or parts of laws in conflict with this act are hereby repealed.

SECTION 5. Emergency. It is hereby found and determined by the Seventy-Eighth General Assembly that the present law provides that the mayor of the city or incorporated town creating a port authority shall be a member of the governing board and shall be chairman; that the law should provide that the mayor may be a member of the board; and that this act would provide an option for the mayor to serve on the board and serve as chairman or to not serve on the board and appoint another member to be chairman. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/Scott

APPROVED: 3-25-91