

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

A BILL ACT 812 OF 1991
SENATE BILL 578

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7 **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE §23-3-205 TO PROVIDE FOR
9 WAIVER OF HEARING; AND FOR OTHER PURPOSES."

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

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13 SECTION 1. Arkansas Code §23-3-205 is hereby amended to read as
14 follows:

15 "23-3-205. Issuance of certificate - Terms and conditions.

16 The commission shall have the power, after hearing, unless waived by the
17 parties, to issue the certificate as prayed for, to refuse to issue the
18 certificate, or to issue it for the construction or operation of a portion
19 only of the contemplated facility or extension thereof, or for the partial
20 exercise only of the right or privilege and may attach to the exercise of the
21 rights granted by the certificate such terms and conditions in harmony with
22 this act as in its judgment the public convenience and necessity may require."

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

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

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34 SECTION 4. All laws and parts of laws in conflict with this act are
35 hereby repealed.

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APPROVED: 3/26/91