

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Pryor**

A Bill

ACT 1040 OF 1993
HOUSE BILL 1940

For An Act To Be Entitled

8 "AN ACT TO CLARIFY THAT OPERATION AND MAINTENANCE FUNDS OF
9 A WATER WORKS COMMISSION MAY BE USED FOR CERTAIN CHAMBER
10 OF COMMERCE ACTIVITIES; AND FOR OTHER PURPOSES."

Subtitle

13 "AN ACT TO CLARIFY THAT OPERATION AND MAINTENANCE FUNDS OF
14 A WATER WORKS COMMISSION MAY BE USED FOR CERTAIN CHAMBER
15 OF COMMERCE ACTIVITIES."

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

19 SECTION 1. The General Assembly finds that payments to a chamber of
20 commerce for industrial development activities or prevention of community
21 deterioration are authorized payments within the board of commissioners_
22 authority to manage and operate a water works and distribution system pursuant
23 to Arkansas Code §14-234-301, et seq.

25 SECTION 2. A Board of Water Works Commissioners created pursuant to
26 Arkansas Code §14-234-301, et seq. may expend operation and maintenance funds
27 of the water works for industrial development or community deterioration
28 prevention activities conducted by a chamber of commerce or similar not-for-
29 profit organization, if such activities in the judgement of the Board of
30 Commissioners are likely to increase revenues of the water works or decrease
31 expenditures resulting from system deterioration.

33 SECTION 3. It is not intended that this act should in anywise alter any
34 authority that a Board of Water Works Commissioners has at the time of the
35 effective date hereof.

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1 SECTION 4. All provisions of this act of a general and permanent nature
2 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
3 Revision Commission shall incorporate the same in the Code.

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5 SECTION 5. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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11 SECTION 6. All laws and parts of laws in conflict with this act are
12 hereby repealed.

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14 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the
15 Seventy-Ninth General Assembly that confusion exists concerning the extent to
16 which operation and maintenance funds of a water works commission may be
17 utilized for chamber of commerce industrial development activities and
18 community deterioration prevention activities because there is no express
19 statutory language on the subject; that there now exists immediate
20 opportunities for industrial development presented by the presidency of former
21 Governor Clinton; that this act helps clarify the confusion and opens the door
22 for opportunity. Therefore, an emergency is hereby declared to exist and this
23 act being necessary for the immediate preservation of the public peace, health
24 and safety shall be in full force and effect from and after its passage and
25 approval.

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APPROVED: 4/12/93

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