

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: H3/14/97

A Bill

ACT 1134 OF 1997
HOUSE BILL 2199

5 By: Representatives Horn, Ammons, Hall, Joe Hudson, Rodgers, and Teague
6 By: Senators Hill and Mahony
7

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE SECTIONS 14-92-219, 14-92-
10 225, 14-92-234, 14-92-235, AND 14-92-301 PERTAINING TO THE
11 FINANCING, OWNERSHIP, OPERATION AND MAINTENANCE OF GAS
12 PIPELINES BY SUBURBAN IMPROVEMENT DISTRICTS."
13

Subtitle

14 "PROVIDING FOR THE FINANCING, OWNERSHIP,
15 OPERATION AND MAINTENANCE OF GAS
16 PIPELINES BY SUBURBAN IMPROVEMENT
17 DISTRICTS."
18

19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code 14-92-219(6) is amended to read as follows:

23 "(6) To lay, own, extend, operate and maintain gas pipelines connecting
24 with gas systems in nearby or adjacent municipalities; provided:

25 (A) nothing in this subchapter shall be construed to allow the
26 purchase of an existing natural gas system or any part thereof, and

27 (B) any such gas system shall be subject to the jurisdiction of
28 the Pipeline Safety Division of the Arkansas Public Service Commission and
29 shall be subject to all provisions of the Arkansas Gas Pipeline Code;"
30

31 SECTION 2. Arkansas Code 14-92-225 is amended by inserting an
32 additional subsection at the end thereof to read as follows:

33 "(f) In assessing benefits which shall accrue as the result of the
34 acquisition or construction of gas pipelines, the assessor may consider the
35 number of burner tips and the historical and estimated usage of gas with
36 respect to each tract of land assessed."

1

2 SECTION 3. Arkansas Code 14-92-234(a)(1) is amended to read as follows:

3 "(a)(1) In order to meet preliminary expenses and to do the work, the
4 board of commissioners may issue negotiable notes or bonds of the district
5 signed by the members of the board and bearing such rate or rates of interest
6 as shall be determined by the board and may pledge and mortgage all
7 assessments of benefits of the district and all or any part of the profits of
8 the district derived from its operation of any waterworks, sewer system, gas
9 system, recreational facilities, or hospital to the payment of the notes and
10 bonds."

11

12 SECTION 4. Arkansas Code 14-92-234 (a)(4) is amended to read as
13 follows:

14 "(4) As further security for the payment of any such indebtedness, the
15 members of the board of any district organized for the construction of
16 waterworks or water pipes, tanks, and wells, sewer systems, gas pipelines,
17 recreational facilities, or hospitals may be resolved to establish the water
18 or sewer rates, rates for use of gas pipelines, rates for use of recreational
19 facilities, or rates for use of the hospitals to be collected from the users
20 thereof. The board may mortgage any or all of its property, including the
21 system, buildings, equipment, lands, leases, easements, and rights-of-way."

22

23 SECTION 5. Arkansas Code 14-92-235(a)(1) is amended to read as follows:

24 "(a)(1) All bonds issued by a board of commissioners for a suburban
25 improvement district under the terms of this subchapter shall be secured by a
26 lien on all ~~lands, railroads, and tramroads~~ real property in the district that
27 will be benefited by the acquiring or making of the improvement financed with
28 the proceeds of such bonds."

29

30 SECTION 6. Arkansas Code 14-92-301(a) is amended to read as follows:

31 "(a) Where there are contiguous or adjacent districts organized under
32 the suburban improvement district laws or the municipal improvement district
33 laws for either water, ~~or sewer~~ or gas pipeline services, or ~~both~~ any
34 combination thereof, it shall be permissible for all or any two (2) or more of
35 such districts, suburban, municipal, or any combination thereof, to enter into
36 a contract with each other for the joint operation, maintenance, improvement,

1 enlargement, and betterment of their respective systems or of the consolidated
2 system, to be paid for by charges for the services."

3

4 SECTION 7. All provisions of this act of a general and permanent nature
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
6 Revision Commission shall incorporate the same in the Code.

7

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

13

14 SECTION 9. All laws and parts of laws in conflict with this act are
15 hereby repealed.

16

17

/s/Rep. Horn et al

18

19

APPROVED:4-05-97

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36