

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 863 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: S3/14/07 H3/27/07

A Bill

SENATE BILL 827

5 By: Senator Hill
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8 **For An Act To Be Entitled**

9 AN ACT TO AMEND PORTIONS OF THE REGIONAL WATER
10 DISTRIBUTION DISTRICT ACT, ACT 114 OF 1957, § 14-
11 116-101 ET SEQ.; TO PROVIDE ECONOMIC DEVELOPMENT;
12 AND FOR OTHER PURPOSES.
13

14 **Subtitle**

15 TO AMEND PORTIONS OF THE REGIONAL WATER
16 DISTRIBUTION DISTRICT ACT, ACT 114 OF
17 1957, § 14-116-101 ET SEQ., AND TO
18 PROVIDE ECONOMIC DEVELOPMENT.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 *SECTION 1. Arkansas Code § 14-116-301 is amended to read as follows:*
24 *14-116-301. Members generally - Original appointments.*

25 *(a) If a water district is comprised of all or a portion of four (4)*
26 *or more counties:*

27 *(1) The board of directors shall be composed of three (3)*
28 *qualified voters residing in the district. However, if the district embraces*
29 *lands in more than one (1) county, then the board of directors shall be*
30 *composed of three (3) qualified electors who are residents of the district*
31 *from each of the counties in which lands are embraced in the district.*
32 *Furthermore, if the court creating a water distribution district finds that a*
33 *larger number of board members than that provided for above is necessary to*
34 *afford adequate representation for the various ~~areas~~ parts of the district,*
35 *the court may establish a board consisting of a greater number of members*



1 than that provided for above. In this case the representation on the board
2 of directors shall be apportioned to the various ~~areas~~ parts of the district
3 in a manner the court deems just and equitable.

4 ~~(b)(2)~~ When the circuit court has established the district, it
5 shall, within a reasonable time thereafter, appoint the three (3) or more
6 directors of the water district. Upon the expiration of the terms of the
7 directors so appointed, subsequent directors shall be elected as set out in
8 this subchapter by the qualified electors residing in the water district in
9 each county in which there is area included in the district.

10 (b) If a water district is comprised of all or a portion of less than
11 four (4) counties:

12 (1) The board of directors shall be composed of three (3)
13 qualified voters residing in the service area of the customers of the
14 district, which is the area within the boundaries of the water district to
15 which the customers of the district currently provide retail water or other
16 services that they have purchased from the district. However, if the
17 district embraces lands in more than one (1) county but less than four (4)
18 counties, then the board of directors shall be composed of three (3)
19 qualified electors who are residents of the service area of the customers of
20 the district from each of the counties in which lands are embraced in the
21 district. Furthermore, if the court creating a water distribution district
22 finds that a larger number of board members than that provided for above is
23 necessary to afford adequate representation for the various parts of the
24 district, the court may establish a board consisting of a greater number of
25 members than that provided for above. In this case the representation on the
26 board of directors shall be apportioned to the various parts of the district
27 in a manner the court deems just and equitable, and each director shall be a
28 qualified voter residing in the part of the service area of the customers of
29 the district that he or she represents.

30 (2) When the circuit court has established the district, it
31 shall, within a reasonable time thereafter, appoint the three (3) or more
32 directors of the water district. Upon the expiration of the terms of the
33 directors so appointed, subsequent directors shall be elected as set out in
34 this subchapter by the qualified electors residing in the service area of the
35 customers of the water district in each county in which lands are embraced in
36 the district or, if the district has been apportioned by the court, by

1 qualified voters residing in the part of the service area of the customers of
2 the district that the director will represent.

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4 SECTION 2. Arkansas Code § 14-116-302 is amended to read as follows:
5 14-116-302. Members - Terms.

6 (a) Each director shall serve for a term of six (6) years and until
7 his successor is duly elected and qualified, except that one (1) of the
8 original directors from each county shall serve for a term of not more than
9 two (2) years, one (1) for a term of not more than four (4) years, and one
10 (1) for a term of not more than six (6) years as determined by the courts.
11 However, if the court finds at any time that it is necessary or desirable
12 that the board be composed of or increased to a greater number than three (3)
13 for each county represented in the district in order to provide proper
14 representation to the various ~~areas~~ parts of the district, the additional
15 member or members of the enlarged board appointed by the court shall be
16 appointed for terms of office that the court deems necessary to properly
17 provide for staggered terms for the members of the board representing each
18 area part of the district.

19 (b) The term of office of the directors shall expire on December 31 of
20 the year which constitutes the last year of the term of each director.

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22 SECTION 3. Arkansas Code § 14-116-303 is amended to read as follows:
23 14-116-303. Members - Nomination and election.

24 (a)(1) If a water district is comprised of all or a portion of four
25 (4) or more counties then ~~Nominations~~ nominations for directors shall be upon
26 petitions signed by at least fifty (50) qualified electors residing in the
27 area of the district from which the director is to be elected. This petition
28 shall be filed with the county board of election commissioners at least sixty
29 (60) days prior to the general election.

30 (2) If a water district is comprised of all or a portion of less
31 than four (4) counties then nominations for directors shall be upon petitions
32 signed by at least fifty (50) qualified electors residing in the part of the
33 service area of the customers of the district from which the director is to
34 be elected. This petition shall be filed with the county board of election
35 commissioners at least sixty (60) days prior to the general election.

36 (b) Election of the directors shall be held as a part of the general

1 *election and under the laws governing it.*

2 *(c) Any director shall be qualified to succeed himself.*

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/s/ Hill

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APPROVED: 4/3/2007

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