

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 349 OF 1993
HOUSE BILL 1391

4 **By: Representatives Pryor and Jones**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 14-137-106 (d) TO AMEND THE
9 DEFINITION OF OTHER CAPITAL IMPROVEMENT FACILITIES; AND
10 FOR OTHER PURPOSES."

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Subtitle

13 **"AN ACT TO AMEND THE DEFINITION OF OTHER CAPITAL**
14 **IMPROVEMENT FACILITIES."**

15

16 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:**

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18 **SECTION 1. Arkansas Code 14-137-106(d) is amended to read as follows:**

19 **"(d) As used in this section, the term other capital improvement facilities means,**
20 **whether obtained by purchase, lease, construction, reconstruction, restoration, improvement,**
21 **alternation, repair, or other means, any physical public betterment or improvement or any**
22 **preliminary plans, studies, or surveys relative thereto; lands or rights in land including,**
23 **without limitations, leases, air rights, easements, rights-of-way, or licenses; furnishings,**
24 **machinery, vehicles, apparatus, equipment or other personal property for use by the city or**
25 **county; and any furnishings, machinery, vehicles, apparatus, or equipment for any public**
26 **betterment or improvement which shall include, without limiting the generality of the**
27 **foregoing the following: Any and all facilities for city or town halls, courthouses, and**
28 **administrative, executive, or other public offices; court facilities; jails, police and sheriff**
29 **stations, apparatus, and facilities; fire fighting facilities and apparatus; public health facilities**
30 **and apparatus; hospitals, nursing homes, and similar extended-care facilities; residential**
31 **housing for low and moderate income, elderly or handicapped persons and families; parking**
32 **facilities and garages; educational and training facilities for public employees; auditoriums;**
33 **stadiums; convention, meeting, or entertainment facilities; ambulance and other emergency**
34 **medical service facilities; civil defense facilities; air and water pollution control facilities;**
35 **drainage and flood control facilities; storm sewers; arts and crafts centers; museums; libraries;**
36 **public parks, playgrounds, or other public open space; marinas; swimming pools, tennis courts,**

1 **golf courses, camping facilities, gymnasiums, and other recreational facilities; tourist**
2 **information and assistance centers; historical, cultural, natural, or folklore sites; fair and**
3 **exhibition facilities; streets and street lighting, alleys, sidewalks, roads, bridges, and viaducts;**
4 **airports, passenger or freight terminals, hangars and related facilities; barge terminals, ports,**
5 **harbors, ferries, wharves, docks, and similar marine services, slack water harbors, water**
6 **resource facilities, waterfront development facilities, and navigational facilities; public**
7 **transportation facilities; public water systems and related transmission and distribution**
8 **facilities, storage facilities, wells, impounding reservoirs, treatment plants, lakes, dams,**
9 **watercourses, and water rights, sewer collection systems, and treatment plants; maintenance**
10 **and storage buildings and facilities; incinerators; garbage and solid waste collection disposal,**
11 **compacting, and recycling facilities of every kind; and social and rehabilitative service**
12 **facilities."**

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14 **SECTION 2. All provisions of this act of a general and permanent nature are**
15 **amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision**
16 **Commission shall incorporate the same in the Code.**

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18 **SECTION 3. If any provision of this act or the application thereof to any person or**
19 **circumstance is held invalid, such invalidity shall not affect other provisions or applications of**
20 **the act which can be given effect without the invalid provision or application, and to this end**
21 **the provisions of this act are declared to be severable.**

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

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25 **SECTION 5. EMERGENCY. It is hereby found and determined by the General**
26 **Assembly that the present law pertaining to public facilities boards is inadequate to the extent**
27 **of the definition of capital improvement facilities, which may be acquired by the boards; that**
28 **the type of property which may be acquired by the boards should be expanded as soon as**
29 **possible; that this act so provides and until it goes into effect the authority of the public**
30 **facilities boards will be unduly restrictive. Therefore, an emergency is hereby declared to exist**
31 **and this act being necessary for the immediate preservation of the public peace, health and**
32 **safety shall be in full force and effect from and after its passage and approval.**

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APPROVED: 03/03/93