Regular Session, 1995 Regular Session, 1995 By: Representative Purdom For An Act To Be Entitled Subtitle Subtitle Subtitle Subtitle For An Act To ASSIST LOCAL IMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION: SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: "14-88-406. Attorney of second-class cities and towns. (a) (1) In all cities of the second class and incorporated towns within the city or incorporated town. Michael Section 1. Arkansas Code 14-88-406 is amended to read as follows: "14-88-406. Attorney of second-class cities and towns. (a) (a) (b) In all cities of the second class and incorporated towns within the city or incorporated town. Multiple Section 1. Arkansas Code 14-88-406 is amended to read as follows: "14-88-406. Attorney of second class and incorporated towns within the city or incorporated town. (a) (a) (b) In all cities of the second class and incorporated towns within the city or incorporated town. (b) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorney in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (a) Advise the board at any time needed; (b) Do all things enjoined upon him by the commissioners;	1	State of Arkansas
For An Act To Be Entitled For An Act To Be Entitled For An Act To Be Entitled MAN ACT TO AMEND ARKANSAS CODE 14-88-406; TO ASSIST LOCAL MIMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES." Subtitle Subtitle TO ASSIST LOCAL IMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION." BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: "14-88-406. Attorney of second-class cities and towns. (a) (1) In all cities of the second class and incorporated towns within the State of Arkansas, the attorney representing the municipality may be the attorney for all boards and commissioners of all local improvement districts within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;	2	80th General Assembly ABII ACT 362 OF 1995
For An Act To Be Entitled For Anssist Local Improvement Legal Representation; To Declare an Emergency; And For Other Purposes." For Assist Local Improvement Districts For Assist Local Improvement Districts For Assist Local Improvement Districts For Assist Local Improvement Of Arkansas: For Entitle Of Arkansas: For Entitle Of Arkansas: For Entitle Of Arkansas: For Assist Local Improvement Of Arkansas: For Entitle Of Arkansas: For Entitle Of Arkansas: For Entitle Of Arkansas of Incorporated towns. For Entitle Of Arkansas of Incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. For Entitle Of Arkansas of Incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. For Entitle Of Arkansas of Incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. For Entitle Of Arkansas of Incorporated towns, may, at their option, employ private attorney in lieu of the city attorney. For Entitle Of Arkansas of Incorporated towns, may, at their option, employ private attorney to: For Entitle Of Arkansas of Incorporated towns, may, at their option, employ private attorney to: For Entitle Of Arkansas of Incorporated towns of Incorporated towns of Incorpor	3	Regular Session, 1995 HOUSE BILL 1440
For An Act To Be Entitled Representation; To amend arkansas code 14-88-406; To assist Local IMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES." Subtitle Subtitle TO ASSIST LOCAL IMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION." SECTION 1. Arkansas Local REPRESENTATION." SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: "14-88-406. Attorney of second-class cities and towns. (a) (1) In all cities of the second class and incorporated towns within the State of Arkansas, the attorney representing the municipality may be the attorney for all boards and commissioners of all local improvement districts within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;	4	By: Representative Purdom
FOR AN ACT TO BE Entitled "AN ACT TO AMEND ARKANSAS CODE 14-88-406; TO ASSIST LOCAL IMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES." Subtitle Subtitle "TO ASSIST LOCAL IMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION." BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: "14 SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: "14-88-406. Attorney of second-class cities and towns. (a) (1) In all cities of the second class and incorporated towns within the State of Arkansas, the attorney representing the municipality may be the attorney for all boards and commissioners of all local improvement districts within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (a) Advise the board at any time needed;	5	
"AN ACT TO AMEND ARKANSAS CODE 14-88-406; TO ASSIST LOCAL IMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES." Subtitle Subtitle TO ASSIST LOCAL IMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION." BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: "14-88-406. Attorney of second-class cities and towns. (a) (1) In all cities of the second class and incorporated towns within the State of Arkansas, the attorney representing the municipality may be the attorney for all boards and commissioners of all local improvement districts within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;	6	
9 IMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION; TO 10 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES." 11 12 Subtitle 13 "TO ASSIST LOCAL IMPROVEMENT DISTRICTS 14 IN SECURING LEGAL REPRESENTATION." 15 16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: 17 18 SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: 19 "14-88-406. Attorney of second-class cities and towns. 20 (a) (1) In all cities of the second class and incorporated towns within 12 the State of Arkansas, the attorney representing the municipality may be the 12 attorney for all boards and commissioners of all local improvement districts 13 within the city or incorporated town. 24 (2) Municipal improvement districts formed under 14-88-202 et 14 seq. for the purpose of acquiring, constructing, operating, or maintaining a 15 recreational facility, and local improvement districts within cities of the 17 second class or incorporated towns, may, at their option, employ private 18 attorneys in lieu of the city attorney. 29 (b) (1) It shall be the duty of the attorney to: 19 Advise the board at any time needed;	7	For An Act To Be Entitled
Subtitle Subtitle TO ASSIST LOCAL IMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION." BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: "14-88-406. Attorney of second-class cities and towns. (a) (1) In all cities of the second class and incorporated towns within the State of Arkansas, the attorney representing the municipality may be the attorney for all boards and commissioners of all local improvement districts within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;	8	"AN ACT TO AMEND ARKANSAS CODE 14-88-406; TO ASSIST LOCAL
Subtitle Subtitle TO ASSIST LOCAL IMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION." BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: "14-88-406. Attorney of second-class cities and towns. (a) (1) In all cities of the second class and incorporated towns within the State of Arkansas, the attorney representing the municipality may be the attorney for all boards and commissioners of all local improvement districts within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;	9	IMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION; TO
Subtite 13 "TO ASSIST LOCAL IMPROVEMENT DISTRICTS 14 IN SECURING LEGAL REPRESENTATION." 15 16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: 17 18 SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: 19 "14-88-406. Attorney of second-class cities and towns. 20 (a)(1) In all cities of the second class and incorporated towns within 21 the State of Arkansas, the attorney representing the municipality may be the 22 attorney for all boards and commissioners of all local improvement districts 23 within the city or incorporated town. 24 (2) Municipal improvement districts formed under 14-88-202 et 25 seq. for the purpose of acquiring, constructing, operating, or maintaining a 26 recreational facility, and local improvement districts within cities of the 27 second class or incorporated towns, may, at their option, employ private 28 attorneys in lieu of the city attorney. 29 (b)(1) It shall be the duty of the attorney to: 30 (A) Advise the board at any time needed;	10	DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."
"TO ASSIST LOCAL IMPROVEMENT DISTRICTS IN SECURING LEGAL REPRESENTATION." BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: "14-88-406. Attorney of second-class cities and towns. (a) (1) In all cities of the second class and incorporated towns within the State of Arkansas, the attorney representing the municipality may be the attorney for all boards and commissioners of all local improvement districts within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;	11	
IN SECURING LEGAL REPRESENTATION." 15 16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: 17 18 SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: 19 "14-88-406. Attorney of second-class cities and towns. 20 (a) (1) In all cities of the second class and incorporated towns within 21 the State of Arkansas, the attorney representing the municipality may be the 22 attorney for all boards and commissioners of all local improvement districts 23 within the city or incorporated town. 24 (2) Municipal improvement districts formed under 14-88-202 et 25 seq. for the purpose of acquiring, constructing, operating, or maintaining a 26 recreational facility, and local improvement districts within cities of the 27 second class or incorporated towns, may, at their option, employ private 28 attorneys in lieu of the city attorney. 29 (b) (1) It shall be the duty of the attorney to: 30 (A) Advise the board at any time needed;	12	Subtitle
15 16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: 17 18 SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: 19 "14-88-406. Attorney of second-class cities and towns. 20 (a) (1) In all cities of the second class and incorporated towns within 21 the State of Arkansas, the attorney representing the municipality may be the 22 attorney for all boards and commissioners of all local improvement districts 33 within the city or incorporated town. 24 (2) Municipal improvement districts formed under 14-88-202 et 25 seq. for the purpose of acquiring, constructing, operating, or maintaining a 26 recreational facility, and local improvement districts within cities of the 27 second class or incorporated towns, may, at their option, employ private 28 attorneys in lieu of the city attorney. 29 (b) (1) It shall be the duty of the attorney to: 30 (A) Advise the board at any time needed;	13	"TO ASSIST LOCAL IMPROVEMENT DISTRICTS
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: 17 18 SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: 19 "14-88-406. Attorney of second-class cities and towns. 20 (a)(1) In all cities of the second class and incorporated towns within 21 the State of Arkansas, the attorney representing the municipality may be the 22 attorney for all boards and commissioners of all local improvement districts 23 within the city or incorporated town. 24 (2) Municipal improvement districts formed under 14-88-202 et 25 seq. for the purpose of acquiring, constructing, operating, or maintaining a 26 recreational facility, and local improvement districts within cities of the 27 second class or incorporated towns, may, at their option, employ private 28 attorneys in lieu of the city attorney. 29 (b)(1) It shall be the duty of the attorney to: 30 (A) Advise the board at any time needed;	14	IN SECURING LEGAL REPRESENTATION."
SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: "14-88-406. Attorney of second-class cities and towns. (a) (1) In all cities of the second class and incorporated towns within the State of Arkansas, the attorney representing the municipality may be the attorney for all boards and commissioners of all local improvement districts within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;	15	
SECTION 1. Arkansas Code 14-88-406 is amended to read as follows: "14-88-406. Attorney of second-class cities and towns. (a) (1) In all cities of the second class and incorporated towns within the State of Arkansas, the attorney representing the municipality may be the attorney for all boards and commissioners of all local improvement districts within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;	16	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
"14-88-406. Attorney of second-class cities and towns. (a) (1) In all cities of the second class and incorporated towns within the State of Arkansas, the attorney representing the municipality may be the attorney for all boards and commissioners of all local improvement districts within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;	17	
(a) (1) In all cities of the second class and incorporated towns within the State of Arkansas, the attorney representing the municipality may be the attorney for all boards and commissioners of all local improvement districts within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;	18	SECTION 1. Arkansas Code 14-88-406 is amended to read as follows:
the State of Arkansas, the attorney representing the municipality may be the attorney for all boards and commissioners of all local improvement districts within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;	19	"14-88-406. Attorney of second-class cities and towns.
attorney for all boards and commissioners of all local improvement districts within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;		
within the city or incorporated town. (2) Municipal improvement districts formed under 14-88-202 et seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;	21	
(2) Municipal improvement districts formed under 14-88-202 et 25 seq. for the purpose of acquiring, constructing, operating, or maintaining a 26 recreational facility, and local improvement districts within cities of the 27 second class or incorporated towns, may, at their option, employ private 28 attorneys in lieu of the city attorney. 29 (b)(1) It shall be the duty of the attorney to: 30 (A) Advise the board at any time needed;	22	
seq. for the purpose of acquiring, constructing, operating, or maintaining a recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;	23	
recreational facility, and local improvement districts within cities of the second class or incorporated towns, may, at their option, employ private attorneys in lieu of the city attorney. (b) (1) It shall be the duty of the attorney to: (A) Advise the board at any time needed;		
27 second class or incorporated towns, may, at their option, employ private 28 attorneys in lieu of the city attorney. 29 (b)(1) It shall be the duty of the attorney to: 30 (A) Advise the board at any time needed;		
28 attorneys in lieu of the city attorney. 29 (b)(1) It shall be the duty of the attorney to: 30 (A) Advise the board at any time needed;		
29 (b)(1) It shall be the duty of the attorney to: 30 (A) Advise the board at any time needed;		
30 (A) Advise the board at any time needed;		
31 (B) Do all things enjoined upon him by the commissioners;		
20 and		
32 and		
33 (C) Perform all legal duties pertaining to the formation		
34 and operation of the district. 35 (2) The attorney shall represent a board in all suits brought for		-
36 or against it.		

1	(c) The attorney shall receive as his compensation such fees as may be
2	agreed upon by the boards. "
3	
4	SECTION 2. All provisions of this act of a general and permanent
5	nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
6	Code Revision Commission shall incorporate the same in the Code.
7	
8	SECTION 3. If any provision of this act or the application thereof to
9	any person or circumstance is held invalid, such invalidity shall not affect
L O	other provisions or applications of the act which can be given effect without
L1	the invalid provision or application, and to this end the provisions of this
L2	act are declared to be severable.
L3	
L4	SECTION 4. All laws and parts of laws in conflict with this act are
L5	hereby repealed.
L6	
L7	SECTION 5. EMERGENCY. It is hereby found and determined by the
L8	Eightieth General Assembly of the State of Arkansas that the present law
L9	pertaining to the representation of local improvement districts is outdated,
20	unduly restricts representation of improvement districts to noncontroversial
21	matters and limits legal fees to amounts which prohibit the retention of
22	counsel. Therefore, an emergency is hereby declared to exist and this act
23	being necessary for the immediate preservation of the public peace, health and
24	safety shall be in full force and effect from and after its passage and
25	approval.
26	
27	
28	
29	APPROVED: 2-20-95
30	
31	
32	
3	
34	

35