

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

A Bill

ACT 394 OF 1997
HOUSE BILL 1971

4
5 By: Representatives Malone, Broadway, Faris, and Rodgers
6 By: Senators Ross, Hill, Dowd, and Hopkins

For An Act To Be Entitled

9 "AN ACT TO PERMIT THE USE OF COUNTY LABOR AND EQUIPMENT ON
10 PRIVATE PROPERTY TO PROVIDE ESSENTIAL SERVICES NEEDED AS A
11 RESULT OF A NATURAL DISASTER; AND FOR OTHER PURPOSES."

Subtitle

13 "TO PERMIT THE USE OF COUNTY LABOR AND
14 EQUIPMENT ON PRIVATE PROPERTY FOLLOWING
15 A NATURAL DISASTER."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. In any county in which a natural disaster, including but not
21 limited to a tornado or flood, results in the county being declared a disaster
22 area by the Governor, an appropriate official of the United States government,
23 or the county judge of the county, the county judge is authorized to use
24 county labor and equipment on private property to provide services which are
25 required as a result of the natural disaster.

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

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31 SECTION 3. If any provision of this act or the application thereof to
32 any person or circumstance is held invalid, such invalidity shall not affect
33 other provisions or applications of the act which can be given effect without
34 the invalid provision or application, and to this end the provisions of this
35 act are declared to be severable.

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 2 hereby repealed.

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4 SECTION 5. EMERGENCY. It is hereby found and determined by the General
 5 Assembly that devastating tornadoes and flooding recently occurred in several
 6 counties of the state; that several of the affected counties have been
 7 declared disaster areas by the Governor; that as a result of the disaster
 8 considerable cleanup services and other services will be required on private
 9 property as well as public property; that it is in the best interests of the
 10 counties involved in such disasters as well as residents of those counties
 11 that the devastated areas be cleaned up and restored as quickly as is
 12 feasible; that the use of county equipment and labor to the extent the county
 13 judge deems appropriate would be beneficial to everyone involved, and that
 14 this act is designed to permit the use of county equipment and labor on
 15 private property in these limited circumstances and should be given effect
 16 immediately. Therefore, an emergency is declared to exist and this act being
 17 immediately necessary for the preservation of the public peace, health and
 18 safety shall become effective on the date of its approval by the Governor. If
 19 the bill is neither approved nor vetoed by the Governor, it shall become
 20 effective on the expiration of the period of time during which the Governor
 21 may veto the bill. If the bill is vetoed by the Governor and the veto is
 22 overridden, it shall become effective on the date the last house overrides the
 23 veto.

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APPROVED:3-06-97