

**SENATE INTERIM COMMITTEE ON CITY, COUNTY, & LOCAL AFFAIRS
HOUSE INTERIM COMMITTEE ON CITY, COUNTY, & LOCAL AFFAIRS**

MEETING JOINTLY

**JUNE 20, 2013
MINUTES**

Senate and House Interim Committees on City, County, and Local Affairs met Thursday, June 20, 2013 at 10:45 a.m. in Hot Springs, Arkansas. The meeting was held during the 2013 Annual Convention of the Arkansas Municipal League.

Committee members present were Senator Missy Irvin, Senate Chair, and Representative David Fielding, House Chair; Senators Bart Hester, Jeremy Hutchinson, and Stephanie Flowers; Representatives Eddie Armstrong, Scott Baltz, Bruce Cozart, Kim Hammer, Fonda Hawthorne, David Hillman, Monte Hodges, Douglas House, Joe Jett, Andy Mayberry, Mark McElroy, Mary Lou Slinkard, and Wes Wagner.

Other members present were Senators Gary Stubblefield, and Eddie Joe Williams; Representatives Mary Broadaway, John Edwards, Mary "Prissy" Hickerson, Homer Lenderman, Frederick Love, and Mike Holcomb.

Overview of the 2013 Legislative Session and How It Effects Cities and Towns

Mr. Don Zimmerman, Executive Director, Arkansas Municipal League gave the review. Mr. Zimmerman referenced the League's publication titled "2013 General Acts Affecting Arkansas Municipalities". Copies were made available to participants. He reviewed recent legislation pertaining to cities and towns that passed during the 89th General Assembly's 2013 legislative Session. He highlighted the following bills:

Act 217 (HB1127) requires appropriate action by the local depository board for a local government to become a party to a local government joint investment trust.

Act 91 (HB1129) authorizes non-certified fire departments to spend premium insurance fund receipts for insurance for buildings and expenses.

Act 312 (HB1187) prohibits state agencies and public officials from expending funds in support or opposition of a ballot initiative.

Act 314 (HB1233) authorizes a city's governing body, rather than the county board of election commissioners, to determine new ward boundaries for the city.

Act 978 (HB1463) requires city councils to fill council vacancies by a majority vote at the first regular meeting after the occurrence of the vacancy;

also requires councils to fill a vacancy in the office of mayor, either by electing a mayor or calling a special election.

Act 1471 (HB1805) prohibits a person from running for election in more than one state, county, or municipal office simultaneously.

Act 753 (HB1888) authorizes the mayor to designate an elected official to serve in his or her place during a disability or absence; and allowing an unelected employee or resident to be designated if the selection is approved by the city council.

Mr. Zimmerman then discussed recent legislation itemized in their booklet titled “Municipal Annexation, Incorporation, and Other Boundary Changes”. These new Acts are specific to annexation issues passed during the legislation session which include:

Act 1071 (SB530) provides a prohibition of the creation of enclaves in annexation matters and amends the law concerning schedules for providing service in annexation petitions.

Act 1072 (SB531) provides additional situations in which contiguous lands shall not be annexed and states that enclaves should be avoided.

Act 1243 (SB585) authorizes municipal annexation of lands when the municipality is surrounded by unincorporated areas on only three sides due to the fourth side being a boundary a military base, state park, or a national forest.

Act 1455 (HB1542) clarifies the procedure and provides changes to annexation law concerning hearings and the requirements for cities providing services to annexed residents.

Act 1502 (SB861) requires municipal administrators to file an annual report for all annexations that became final in the previous eight years and a report of the services provided to the annexed areas. It also allows a petition process for detachment if services are not provided within three years.

Act 1506 (SB1058) requires an annexing municipality to honor county permits and approvals in use on unincorporated lands that are being annexed by the municipality.

A separate attachment contains a list of all legislation passed during the 2013 legislative Session that impacts municipalities.

The meeting adjourned at 11:45 a.m.