

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1631

By: Representative Jones

"AN ACT TO AMEND ARKANSAS STATUTE 20-1706 TO ALLOW PUBLIC FACILITIES BOARDS TO EXPAND THROUGH INTERLOCAL AGREEMENTS IN ORDER TO PROVIDE SERVICES ON A COUNTYWIDE BASIS; TO AUTHORIZE CITIES COVERED BY THE MUNICIPAL AMBULANCE LICENSING LAW TO ENTER INTO INTERLOCAL AGREEMENTS WITH OTHER CITIES AND COUNTIES FOR THE REGULATION OF EMERGENCY AND NONEMERGENCY AMBULANCE SERVICES WITHIN THE BOUNDARIES OF A COUNTY; AND FOR OTHER PURPOSES."

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

SECTION 1. Subsection (a) of Section 6 of Act 142 of 1975, as amended, the same being Arkansas Statute 20-1706(a), is hereby amended to read as follows:

"(a) (1) Each Board shall consist of five (5) members unless there is an expansion of the Board to provide services outside the boundaries of the governmental unit from which it obtains power. The initial members shall be appointed by the mayor of the creating municipality or the county judge of the creating county for terms of one (1), two (2), three (3), four (4) and five (5) years, respectively. Successor members shall be elected by a majority of the Board for terms of five (5) years each. Each member shall qualify by taking and filing with the clerk of the municipality or county creating the board his oath of office in which he shall swear to support the Constitution of the United States and the Constitution of the State of Arkansas and to discharge faithfully his duties in the manner provided by law. Each member shall serve until his successor is elected and qualified. In the event of a vacancy in the membership of the Board, however caused, a majority of the Board shall elect a successor member to serve the unexpired term. A member shall be eligible to succeed himself. The members of the Board shall meet and

organize by electing one (1) of their number as chairman, one (1) as vice-chairman, one (1) as secretary, and one (1) as treasurer, and such officers shall be elected annually thereafter in like manner. The duties of secretary and treasurer may be performed by the same member. The Board may also appoint an executive director who shall not be a member of the Board and who shall serve at the pleasure of the Board and receive such compensation as shall be fixed by the Board. The members of the Board shall receive no compensation for their services but shall be entitled to reimbursement of expenses incurred in the performance of their duties. Furthermore, the Board may at its option provide health, accident and life insurance coverage for the members of the Board. Any member of the Board may be removed for misfeasance, malfeasance or wilful neglect of duty, by the mayor of the municipality or the county judge of the county, as the case may be, which created the Board after reasonable notice of and an opportunity to be heard concerning the alleged grounds for removal.

(2) If the jurisdiction of a Board, pursuant to interlocal agreements, expands to provide services outside the boundaries of the governmental unit from which it obtains power, then not more than two (2) additional members per governmental unit may be added pursuant to the terms of any relevant interlocal agreement. These members shall initially be appointed by the mayor of the newly participating municipality, or the county judge of the newly participating county, and shall serve for a term agreed upon in the interlocal agreement, provided that such term shall not exceed five (5) years. The other provisions of this Section shall apply to these additional members, provided that no additional member shall be eligible to serve as chairman of the Board."

SECTION 2. Section 2 of Act 937 of 1985, the same being Arkansas Statute 20-1706.1 is hereby amended to read as follows:

"Section 2. The provisions of Section 6 of Act 142 of 1975, as amended (Ark. Stat. 20-1706) concerning health, accident and life insurance coverage shall not be applicable to boards located in municipalities with a population in excess of 150,000 people."

SECTION 3. The General Assembly has determined that the Municipal Ambulance Licensing Act (Act 23 of the First Extraordinary Session of 1981)

grants first class cities with a population in excess of 35,000 people broad authority regarding emergency and nonemergency medical services. The General Assembly has further determined that such first class cities should be allowed to enter into agreements with other cities within the county where they are located and/or with the county wherein they are located regarding emergency and nonemergency medical services. Therefore, first class cities with a population in excess of 35,000 may enter into interlocal agreements with other cities located within the county wherein the first class city is located, and/or with the county wherein the first class city is located, and thereby exercise as a cooperative governmental unit all power granted to the first class city by the Municipal Ambulance Licensing Act.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

