

State of Arkansas  
76th General Assembly  
Regular Session, 1987  
By: Senator Malone

SENATE BILL 681

"AN ACT TO AMEND SECTIONS 3 AND 6 OF ACT 871 OF  
1985 [ARK. STAT. 13-1241 AND 13-1244] THE LOCAL  
GOVERNMENT BOND ACT OF 1985; DECLARING AN  
EMERGENCY; AND FOR OTHER PURPOSES."

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

SECTION 1. Subsection (b) of Section 3 of Act 871 of 1985 (Ark. Stats. 13-1241) is hereby amended to read as follows:

"(b) 'capital improvements of a public nature' or 'capital improvements' for the purpose of Amendment No. 62 to the Constitution of Arkansas and this Act means, whether obtained by purchase, lease, construction, reconstruction, restoration, improvement, alteration, repair or other means, (a) any physical public betterment or improvement or any preliminary plans, studies or surveys relative thereto, (b) land or rights in land (including, without limitation, leases, air rights, easements, rights-of-way or licenses), and (c) any furnishings, machinery, vehicles, apparatus or equipment for any public betterment or improvement, which shall include, without limiting the generality of the foregoing definition, the following: city or town halls, courthouses, and administrative, executive or other public offices; court facilities; jails; police and sheriff stations, apparatus and facilities; firefighting facilities and apparatus; public health facilities and apparatus; hospitals, nursing homes and similar extended-care facilities; residential housing for low and moderate income, elderly or handicapped persons and families; parking facilities and garages; educational and training facilities for public employees; education or training facilities for public elementary, secondary or post secondary schools; auditoriums;

stadiums; convention, meeting or entertainment facilities; ambulance and other emergency medical services facilities; civil defense facilities; air and water pollution control facilities; drainage and flood control facilities; storm sewers; arts and crafts centers; museums; libraries; public parks, playgrounds or other public open space; marinas; swimming pools, tennis courts, golf courses, camping facilities, gymnasium and other recreational facilities; tourist information and assistance centers; historical, cultural, natural, or folklore sites; fair and exhibition facilities; streets and street lighting, alleys, sidewalks, roads, bridges, and viaducts; airports, passenger or freight terminals, hangars and related facilities; barge terminals, ports, harbors, ferries, wharves, docks and similar marine services; slack water harbors, water resource facilities, waterfront development facilities, and navigational facilities; public transportation facilities; public water systems and related transmission and distribution facilities, storage facilities, wells, impounding reservoirs, treatment plants, lakes, dams, watercourses, and water rights; sewage collection systems and treatment plants; maintenance and storage buildings and facilities; incinerators; garbage and solid waste collection disposal, compacting, and recycling facilities of every kind; gas and electric generation, transmission and distribution systems, including without limiting the generality of the foregoing hydroelectric generating facilities, dams, powerhouses, and related facilities; and social and rehabilitative service facilities."

SECTION 2. Section 6 of Act 871 of 1985 (Ark. Stat. 131244), is hereby amended to read as follows:

"Section 6. FINANCING OF FACILITIES FOR EDUCATION OR INDUSTRY.

(a) To provide for the financing of educational or training facilities for public elementary, secondary or post secondary schools, municipalities and counties are hereby authorized to own, acquire, construct, reconstruct, extend, equip, improve, operate, maintain, sell, lease, contract concerning, or otherwise deal in or dispose of any such facilities.

(b) To provide for the financing of facilities for the securing,

developing, preserving and maintaining of industry municipalities and counties are hereby authorized to own, acquire, construct, reconstruct, extend, equip, improve, operate, maintain, sell, lease, contract concerning or otherwise deal in or dispose of any industrial facilities."

SECTION 3. SUPPLEMENTAL NATURE OF THIS ACT. It is the specific intent of this Act that the provisions hereof are supplemental to other Constitutional or statutory provisions now existing or hereafter adopted which may provide for the financing of capital improvements of a public nature or the securing and developing of industry. Nothing contained in this Act shall be deemed to be a restriction or limitation upon alternative means of financing previously available or hereafter made available to municipalities or counties for the purposes herein set forth.

SECTION 4. LIBERAL CONSTRUCTION. This Act shall be construed liberally to effectuate the legislative intent and the purposes of this Act as complete and independent authority for the performance of each and every Act and thing herein authorized and all powers herein granted shall be broadly interpreted to effectuate such intent and purposes and not as a limitation of powers.

SECTION 5. REPEALER. All laws or parts of laws in conflict with this Act are hereby repealed.

SECTION 6. EMERGENCY CLAUSE. It is hereby found and declared that there are now no provisions for municipalities and counties to provide public education or training facilities and that municipalities and counties have an immediate and pressing need for borrowing funds for such purposes through the issuance of bonds. Therefore, an emergency is hereby declared to exist and this Act, being immediately necessary for the protection of the public peace, health and safety, shall take effect, and be in full force immediately on its passage and approval.