

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1895

By: Representative Dowd

For An Act To Be Entitled

"AN ACT TO AMEND THE ARKANSAS CODE TO AUTHORIZE CITIES OF THE  
FIRST CLASS TO JOINTLY OWN, OPERATE AND MANAGE WATER AND  
SEWAGE SYSTEMS; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 14-234-503 is hereby amended to read as follows:

"14-234-503. Authority for joint undertaking.

(a) Any two (2) or more municipalities in the state of Arkansas may join in the purchase or construction of a waterworks system for each of the municipalities, execute the joint obligation of the several municipalities, and secure the payment thereof by a joint pledge of the net revenues derived from the operation of the several waterworks systems until the obligations, principal and interest, shall be fully paid, as provided in this subchapter.

(b) (1) Any city of the first class having a city manager form of government and divided by a state line shall have the authority to join in the purchase, construction, and operation of a waterworks system with the adjoining city in another state for each of the municipalities, and to execute an agreement for the joint obligation of the municipalities and secure the payment thereof by a joint pledge of the net revenues derived from the operation of the waterworks systems.

(2) The municipalities shall employ a joint manager for the operation of the waterworks system who shall be hired by the city managers of the municipalities and who shall serve under the direct supervision of the city managers jointly."

SECTION 2. Subchapter 2 of Chapter 2 of Title 14 of the Arkansas Code is hereby amended by inserting an additional section at the end thereof to read

as follows:

"14-235-225. Authority for joint undertaking.

(a) Any city of the first class having a city manager form of government and divided by a state line shall have the authority to join in the purchase, construction, and operation of a sewage system with the adjoining city in another state for each of the municipalities, and to execute an agreement for the joint obligation of the municipalities and secure the payment thereof by a joint pledge of the net revenues derived from the operation of the sewage systems.

(b) The municipalities shall employ a joint manager for the operation of the sewage system who shall be hired by the city managers of the municipalities and who shall serve under the direct supervision of the city managers jointly."

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

SECTION 4. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 6. EMERGENCY. It is hereby found and determined by the General Assembly that this act should be given effect immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.