1 State of Arkansas   *As Engrossed: S3/19/97 S3/24/97 S3/27/97*

2 81st General Assembly   # A Bill

3 Regular Session, 1997   SENATE BILL   700

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5 By: Senator Walker

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8   **For An Act To Be Entitled**

9   "AN ACT TO ALLOW CITIES OF THE FIRST *CLASS WITH A*

10   *POPULATION OF 100,000 OR MORE TO* CREATE MUNICIPAL

11   MANAGEMENT DISTRICTS FOR THE PURPOSE OF ENHANCING THE

12   ECONOMIC HEALTH AND VITALITY OF THE AREAS; AND FOR OTHER

13   PURPOSES."

14

15   **Subtitle**

16   "AN ACT TO ALLOW CITIES OF THE FIRST

17   *CLASS WITH A POPULATION OF 100,000 OR*

18   *MORE TO* CREATE MUNICIPAL MANAGEMENT

19   DISTRICTS FOR THE PURPOSE OF ENHANCING

20   THE ECONOMIC HEALTH AND VITALITY OF THE

21   AREAS."

22

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

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25   SECTION 1. Cities of the First *Class with a population of one hundred*

26 *thousand (100,000) or more may* enact by ordinance, a process *to create a*

27 *Municipal Management District to manage, develop, construct and maintain*

28 *public works and enhancement projects in* areas of municipalities.

29

30   SECTION 2. Before a district can be created, a petition must be

31 submitted to the governing body of the municipality that includes:

32   (1) a resolution to the governing body in support of the creation of

33 the district and signed by at least *ninety (90)* percent of the property owners

34 *within the district representing at least ninety percent (90%) of the*

35 *appraised property value within the district and at least ninety percent (90%)*

36 *of the privately held land area within the district;*

1   (2) the boundaries of the proposed district;

2   (3) the specific purposes for which the district will be created;

3   (4) the general nature of the work, projects or services proposed to be

4 *provided;*

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6   *(5) the method of establishing assessments for the district;*

7   *(6) a project cost estimate which shall not exceed two million dollars*

8 *($2,000,000); and*

9   *(7) a budget for operating and paying for improvements.*

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11   SECTION 3. The Municipal Management District will be limited to a

12 maximum of *one (1) square mile*.

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14   SECTION 4. The mayor will appoint *two (2)* members of the governing

15 authority and *three (3)* residents or owners of property in the district to

16 *serve on the Municipal Management District Commission. No commission member*

17 *shall receive compensation. The commission may retain legal council and staff*

18 *assistance may be provided by the municipality. Terms of the* commissioners

19 will be decided by local ordinance not to exceed five (5) years.

20 *Upon termination of the district, the municipality shall accept maintenance*

21 *responsibility for the improvements. The life of the district shall not*

22 *exceed ten (10) years at which time all improvements, debts, and charges will*

23 *be paid in full.*

24

25   SECTION 5. Municipal Management Districts may establish and maintain

26 reasonable and nondiscriminatory rates, fares, tolls, charges, assessments,

27 rents or other fees or compensation for the use of the improvements

28 constructed, operated or maintained by the district. *The district shall be*

29 *audited by a Certified Public Accountant each year with the audit findings*

30 *being published in a daily newspaper with circulation including the district.*

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32   SECTION 6. All provisions of this act of a general and permanent nature

33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

34 Revision Commission shall incorporate the same in the Code.

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36   SECTION 7. If any provision of this act or the application thereof to

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1 any person or circumstance is held invalid, such invalidity shall not affect

2 other provisions or applications of the act which can be given effect without

3 the invalid provision or application, and to this end the provisions of this

4 act are declared to be severable.

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6   SECTION 8. All laws and parts of laws in conflict with this act are

7 hereby repealed.

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10   */s/Walker*

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