

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

HOUSE BILL 1554

5 By: Representatives Bledsoe, Anderson, Jacobs, Stovall, Napper, Agee, Childers, Parks, Mahony,
6 Hardwick, Judy, Haak, Edwards, Green, Norton, King, Matayo, L. Prater, Bright, Gipson, Borhauer,
7 Pritchard, Pace, Harris
8 By: Senators Bisbee, Holt, Hendren
9

For An Act To Be Entitled

12 AN ACT TO AMEND THE JOINT COUNTY AND MUNICIPAL
13 SOLID WASTE DISPOSAL ACT TO GIVE A SANITATION
14 AUTHORITY THE POWER TO OWN AND OPERATE WASTEWATER
15 FACILITIES AND THE POWER OF EMINENT DOMAIN; AND
16 FOR OTHER PURPOSES.

Subtitle

19 TO AMEND THE JOINT COUNTY AND MUNICIPAL
20 SOLID WASTE DISPOSAL ACT TO GIVE A
21 SANITATION AUTHORITY THE POWER TO OWN
22 AND OPERATE WASTEWATER FACILITIES AND
23 THE POWER OF EMINENT DOMAIN.
24
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Arkansas Code § 14-233-107, concerning the powers of
29 sanitation authorities under the Joint County and Municipal Solid Waste
30 Disposal Act, is amended to add additional subdivisions to read as follows:

31 (14) To own and operate as a project, any public work authorized by
32 law and undertaken by the authority for public use or benefits, including,
33 but not limited to, wastewater treatment facilities, collection mains,
34 interceptors, force mains, pump stations, and other appurtenances for
35 collection, pumping, treatment, and disposal of wastewater, sludge, or
36 treated effluent;



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1 (15)(A) To have and exercise the power of eminent domain for the
2 purpose of acquiring rights-of-way, easements, other properties necessary in
3 the construction or operation of its projects, property, or business under
4 subdivision (14) of this section and exercised through the procedures under
5 §§ 14-235-201 through 14-235-205 and § 14-235-210;

6 (B) However, if an authority is created by two (2) or more
7 municipalities, the authority shall disclose its intent to exercise the power
8 of eminent domain by conducting an informational hearing before the quorum
9 court of the county in which the power of eminent domain is exercised.

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