

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 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: S3/14/07 H3/27/07

A Bill

SENATE BILL 827

5 By: Senator Hill
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For An Act To Be Entitled

9 AN ACT TO AMEND PORTIONS OF THE REGIONAL WATER
10 DISTRIBUTION DISTRICT ACT, ACT 114 OF 1957, § 14-
11 116-101 ET SEQ.; TO PROVIDE ECONOMIC DEVELOPMENT;
12 AND FOR OTHER PURPOSES.
13

Subtitle

14 TO AMEND PORTIONS OF THE REGIONAL WATER
15 DISTRIBUTION DISTRICT ACT, ACT 114 OF
16 1957, § 14-116-101 ET SEQ., AND TO
17 PROVIDE ECONOMIC DEVELOPMENT.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 *SECTION 1. Arkansas Code § 14-116-301 is amended to read as follows:*
24 *14-116-301. Members generally - Original appointments.*

25 *(a) If a water district is comprised of all or a portion of four (4)*
26 *or more counties:*

27 *(1) The board of directors shall be composed of three (3)*
28 *qualified voters residing in the district. However, if the district embraces*
29 *lands in more than one (1) county, then the board of directors shall be*
30 *composed of three (3) qualified electors who are residents of the district*
31 *from each of the counties in which lands are embraced in the district.*
32 *Furthermore, if the court creating a water distribution district finds that a*
33 *larger number of board members than that provided for above is necessary to*
34 *afford adequate representation for the various ~~areas~~ parts of the district,*
35 *the court may establish a board consisting of a greater number of members*
36 *than that provided for above. In this case the representation on the board*



1 of directors shall be apportioned to the various ~~areas~~ parts of the district
2 in a manner the court deems just and equitable.

3 ~~(b)~~(2) When the circuit court has established the district, it
4 shall, within a reasonable time thereafter, appoint the three (3) or more
5 directors of the water district. Upon the expiration of the terms of the
6 directors so appointed, subsequent directors shall be elected as set out in
7 this subchapter by the qualified electors residing in the water district in
8 each county in which there is area included in the district.

9 (b) If a water district is comprised of all or a portion of less than
10 four (4) counties:

11 (1) The board of directors shall be composed of three (3)
12 qualified voters residing in the service area of the customers of the
13 district, which is the area within the boundaries of the water district to
14 which the customers of the district currently provide retail water or other
15 services that they have purchased from the district. However, if the
16 district embraces lands in more than one (1) county but less than four (4)
17 counties, then the board of directors shall be composed of three (3)
18 qualified electors who are residents of the service area of the customers of
19 the district from each of the counties in which lands are embraced in the
20 district. Furthermore, if the court creating a water distribution district
21 finds that a larger number of board members than that provided for above is
22 necessary to afford adequate representation for the various parts of the
23 district, the court may establish a board consisting of a greater number of
24 members than that provided for above. In this case the representation on the
25 board of directors shall be apportioned to the various parts of the district
26 in a manner the court deems just and equitable, and each director shall be a
27 qualified voter residing in the part of the service area of the customers of
28 the district that he or she represents.

29 (2) When the circuit court has established the district, it
30 shall, within a reasonable time thereafter, appoint the three (3) or more
31 directors of the water district. Upon the expiration of the terms of the
32 directors so appointed, subsequent directors shall be elected as set out in
33 this subchapter by the qualified electors residing in the service area of the
34 customers of the water district in each county in which lands are embraced in
35 the district or, if the district has been apportioned by the court, by
36 qualified voters residing in the part of the service area of the customers of

1 the district that the director will represent.

2
3 SECTION 2. Arkansas Code § 14-116-302 is amended to read as follows:
4 14-116-302. Members - Terms.

5 (a) Each director shall serve for a term of six (6) years and until
6 his successor is duly elected and qualified, except that one (1) of the
7 original directors from each county shall serve for a term of not more than
8 two (2) years, one (1) for a term of not more than four (4) years, and one
9 (1) for a term of not more than six (6) years as determined by the courts.
10 However, if the court finds at any time that it is necessary or desirable
11 that the board be composed of or increased to a greater number than three (3)
12 for each county represented in the district in order to provide proper
13 representation to the various ~~areas~~ parts of the district, the additional
14 member or members of the enlarged board appointed by the court shall be
15 appointed for terms of office that the court deems necessary to properly
16 provide for staggered terms for the members of the board representing each
17 area part of the district.

18 (b) The term of office of the directors shall expire on December 31 of
19 the year which constitutes the last year of the term of each director.

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21 SECTION 3. Arkansas Code § 14-116-303 is amended to read as follows:
22 14-116-303. Members - Nomination and election.

23 (a)(1) If a water district is comprised of all or a portion of four
24 (4) or more counties then ~~Nominations~~ nominations for directors shall be upon
25 petitions signed by at least fifty (50) qualified electors residing in the
26 area of the district from which the director is to be elected. This petition
27 shall be filed with the county board of election commissioners at least sixty
28 (60) days prior to the general election.

29 (2) If a water district is comprised of all or a portion of less
30 than four (4) counties then nominations for directors shall be upon petitions
31 signed by at least fifty (50) qualified electors residing in the part of the
32 service area of the customers of the district from which the director is to
33 be elected. This petition shall be filed with the county board of election
34 commissioners at least sixty (60) days prior to the general election.

35 (b) Election of the directors shall be held as a part of the general
36 election and under the laws governing it.

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(c) Any director shall be qualified to succeed himself.

/s/ Hill