

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Jewell**

A BILL ACT 1233 OF 1991
SENATE BILL 710

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH THE ARKANSAS BLACK HISTORY ADVISORY
9 COMMITTEE; TO PRESCRIBE THE COMMITTEE'S MEMBERSHIP AND
10 DUTIES; TO PROVIDE THAT THE STATE HISTORIAN WILL GIVE
11 ADMINISTRATIVE SUPPORT TO THE COMMITTEE; TO PROVIDE FOR A
12 PROGRAM OF ARKANSAS BLACK HISTORY FOR INCLUSION IN THE
13 PUBLIC SCHOOLS OF THE STATE; AND FOR OTHER PURPOSES."

14
15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

16
17 *SECTION 1. (a) To advise the Arkansas History Commission with respect*
18 *to gathering, developing, and keeping the history of a segment of Arkansas*
19 *society whose history has been overlooked and forgotten and has been simply*
20 *neglected because of a lack of concern, collecting materials bearing on the*
21 *history of black Arkansans from the earliest times, encouraging historical*
22 *work and research in the background of black Arkansans to help the young*
23 *citizens of the state to appreciate their heritage, and performing work in*
24 *relation to the history of black Arkansans, the Arkansas Black History*
25 *Advisory Committee is hereby created and established at the seat of government*
26 *of this state.*

27 (b) The offices of the *Committee* and the archives of its records shall
28 be located with those of the Arkansas History Commission in the One Capitol
29 Mall Building, State Capitol, Little Rock.

30
31 *SECTION 2. (a) The Arkansas Black History Advisory Committee all*
32 *consist of seven (7) members who shall be residents and electors of this*
33 *state. The members shall be appointed by the Governor by and with the advice*
34 *and consent of the Senate.*

35 (b) Except for the initial terms of the *Committee*, each member shall
36 serve for a term of seven (7) years. The term of office of each member of the

1 *Committee* shall commence on January 15 following the expiration date of his
2 predecessor's term and shall end on January 14 of the seventh year following
3 the year in which the term commenced. The terms of the initial members shall
4 be staggered between one (1) year and seven (7) years as may be determined by
5 lot at the *Committees's* first meeting.

6 (c) The membership of the *Committee* shall be made up of person's
7 interested in the collection, recordation, preservation, and development of
8 the history of black Arkansans. The membership of the *Committee* shall be as
9 follows:

10 (1) four (4) members of the *Committee* shall be persons from the
11 higher education academic faculty of Arkansas' four-year colleges and
12 universities representing the History Departments, at least two (2) of whom
13 shall be from the state's two (2) *predominantly* black four-year colleges:

14 Philander Smith College and the University of Arkansas at Pine Bluff; and

15 (2) three (3) members shall be the citizens of the state at-large
16 and shall have a demonstrated interest in black history.

17 (d) Any vacancies arising in the membership of the *Committee* for any
18 reason other than expiration of the regular terms for which the members were
19 appointed shall be filled by appointment by the Governor, and to be thereafter
20 effective until the expiration of the regular terms, subject, however, to the
21 confirmation of the Senate when it is next in session.

22 (e) The *Committee* shall select from its membership a chairman and a
23 vice-chairman.

24 (f) Members of the *Committee* shall receive no pay for their services
25 but, with respect to attendance at each regular or special meeting of the
26 *Committee*, but, in the event funds are appropriated for the purpose, shall be
27 entitled to reimbursement per diem for each day or part of a day the *Committee*
28 is in session. Reimbursement shall be in an amount equal to the maximum daily
29 allowance for meals and lodging paid, as provided by law, to a state employee
30 for in-state travel, plus mileage at the rate per mile provided by law for the
31 reimbursement of mileage expense for state employees, for travel from their
32 homes to the place of the meeting and return.

33

34 SECTION 3. (a) The *Committee* shall meet at such times and places as in
35 each instance may suit the *Committee's* convenience and its purposes, and all
36 meetings shall be open to the public.

1 (b) The *Committee* shall adopt, and may modify, rules and by-laws for
 2 the conduct of its business, *subject to approval of the Arkansas History*
 3 *Commission*. It shall keep a record of its transactions, findings, and
 4 determinations, which record shall be public.

5 (c) The rules shall provide for regular meetings and for special
 6 meetings at the call of the chairman or, in his absence or incapacity, the
 7 vice-chairman, or upon written request of at least four (4) members.

8 (d) The State Historian, provided for in Chapter 3 of Title 13 of the
 9 Arkansas Code of 1987, Annotated, shall be ex officio secretary of the
 10 *Committee* but shall have no vote on matters coming before it.

11 (e) A quorum shall consist of not less than four (4) members present at
 12 any regular or special meeting. The affirmative vote of that number shall be
 13 necessary for the disposition of any business.

14

15 SECTION 4. (a) It shall be the function, power, and duty of the
 16 *Arkansas Black History Advisory Committee to assist the Arkansas History*
 17 *Commission to:*

18 (1) Collect, classify, and preserve, through the making of
 19 photographic copies or by other means, records, manuscripts, maps, diaries,
 20 letters, war service records, journals, and papers of historical value,
 21 pertaining to the black race in Arkansas and black Arkansans;

22 (2) Collect and preserve portraits, photographs, sketches,
 23 drawings, and other likenesses of eminent black Arkansans, historic places,
 24 houses, buildings, and scenes involving the black race in Arkansas;

25 (3) Select and publish any papers, research, and other source
 26 material on the contribution of the black race in Arkansas history which it
 27 shall deem appropriate and funds will permit;

28 (4) Build up and maintain a reference library of the source
 29 material on the black race in Arkansas history;

30 (5) Cooperate with, and receive the cooperation of, any
 31 historical associations or any black historical associations and other
 32 nonprofit organizations devoted to the history or black history of this state;

33 (b) All records, papers, archives, and historical material at any time
 34 in the possession of the Commission, excepting such as it may have on loan,
 35 shall be and remain the property of the State of Arkansas.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SECTION 5. The Arkansas Black History *Advisory Committee* and the Director of the General Education Division of the Arkansas Department of Education or his designee shall cooperate with one another to develop the materials for a program of historical contributions by the black race in Arkansas for inclusion in the curriculum segment of the Arkansas history required to be instructed in Arkansas Code § 6-16-109. The Director shall insure that these materials are reproduced and sent to all school districts in the state as a resource for inclusion in the Arkansas history courses.

SECTION 6. The State Historian, provided for in Chapter 3 of Title 13 of the Arkansas Code of 1987, Annotated, shall assist the Arkansas Black History *Advisory Committee* in the performance of its duties and shall be the custodian of all property, reference, and source materials of the Committee. The State Historian shall be charged with the duty of administering this act.

SECTION 7. All provisions of this act of 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 8. If any provisions of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application, and to this end the provisions of this act are declared to be severable.

SECTION 9. All laws and parts of laws in conflict with this act are hereby repealed.

/s/Jewell

APPROVED: 4-10-91

1

2