

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

SENATE BILL 131

5 By: Senators Brown, Steele
6
7

For An Act To Be Entitled

9 AN ACT TO ALLOW CITIES TO CREATE PARKS AND
10 RECREATION COMMISSIONS WITH FROM FIVE (5) TO
11 FIFTEEN (15) MEMBERS; AND FOR OTHER PURPOSES.
12

Subtitle

13 TO ALLOW CITIES TO CREATE PARKS AND
14 RECREATION COMMISSIONS WITH FROM FIVE
15 (5) TO FIFTEEN (15) MEMBERS.
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 14-269-302 is amended to read as follows:
22 14-269-302. Commission - Creation - Members.

23 (a)(1) Any city of the first or second class desiring to avail itself
24 of the benefits of this subchapter, by a majority vote of the elected and
25 qualified members of the city council, may enact an ordinance creating a
26 parks and recreation commission to be composed of no less than five (5) nor
27 more than fifteen (15) citizens who are qualified electors of the
28 municipality and, by affirmative vote of three-fourths (3/4) of the elected
29 and qualified members of the city council, may repeal the ordinance creating
30 the commission.

31 (2) The city council of any city of the first or second class
32 may increase the membership of its existing parks and recreation commission
33 ~~by two (2) additional members~~ no more than fifteen (15) members under
34 subsection (e) of this section if the city council determines that an
35 enlarged commission could better serve the city's parks and recreation
36 program.



01232003EAN1251.VJF250

1 (b)(1)(A) The commissioners shall be appointed by the mayor, shall be
 2 confirmed by a majority vote of the duly elected and qualified members of the
 3 city council, and shall hold office for a term of five (5) years.

4 (B) However, the first commissioners to be appointed and
 5 confirmed shall serve for terms of one (1), two (2), three (3), four (4), and
 6 five (5) years, respectively, to be designated by the mayor and city council,
 7 and thereafter, upon the expiration of their respective terms, commissioners
 8 appointed by the mayor and approved by a majority vote of the city council
 9 shall each be appointed for a term of five (5) years.

10 (2) The commissioners may be reappointed.

11 (c)(1) In the event of a vacancy occurring on the commission, it shall
 12 be filled by appointment by the mayor, subject to the approval of a majority
 13 vote of the duly elected and qualified members of the city council.

14 (2) A vacancy shall be filled for the remainder of the term.

15 (d) Each commissioner shall file the oath required in the State of
 16 Arkansas of public officials.

17 (e)(1) In the event the city council of any city votes to increase the
 18 membership of its parks and recreation commission ~~from five (5) to seven (7)~~
 19 under subdivision (a)(2) of this section ~~members~~, then the ~~two (2)~~ additional
 20 members of the commission shall be appointed in the manner provided in
 21 subsection (b) of this section and shall serve terms ~~of five (5) years~~ as
 22 provided in subdivision (e)(4) of this section. ~~However, the first~~
 23 ~~additional members appointed to the commission shall determine by lot their~~
 24 ~~respective terms in order that the term of one (1) member shall be for three~~
 25 ~~(3) years and the term of the other member shall be for five (5) years.~~

26 (2) Their successors shall be appointed for five-year terms.

27 (3) The members shall qualify in the same manner as provided in
 28 subsection (a) of this section for other commission members, and vacancies in
 29 either of the additional member positions shall be filled in the manner
 30 provided in subsection (c) of this section.

31 (4) Upon increasing the number of members of the commission, the
 32 existing and additional commissioners shall serve initial terms as follow:

33 (A) For commissions of six (6) members, the initial terms
 34 shall be one (1) member each with terms for one (1), two (2), three (3), and
 35 four (4) years, and two (2) members with terms for five (5) years;

36 (B) For commissions of seven (7) members, the initial

1 terms shall be one (1) member each with terms for one (1), two (2), and three
2 (3) years, and two (2) members with terms for four (4) and five (5) years;

3 (C) For commissions of eight (8) members, the initial
4 terms shall be one (1) member each with terms for one (1) and two (2) years,
5 and two (2) members with terms for three (3), four (4), and five (5) years;

6 (D) For commissions of nine (9) members, the initial terms
7 shall be one (1) member with a term for (1) year, and two (2) members with
8 terms for two (2), three (3), four (4), and five (5) years;

9 (E) For commissions of ten (10) members, the initial terms
10 shall be two (2) members with terms for one (1), two (2), three (3), four
11 (4), and five (5) years;

12 (F) For commissions of eleven (11) members, the initial
13 terms shall be for two (2) members with terms for one (1), two (2), three
14 (3), and four (4) years, and three (3) members with terms for five (5) years;

15 (G) For commissions of twelve (12) members, the initial
16 terms shall be two (2) members with terms for one (1), two (2), and three (3)
17 years, and three (3) members with terms for four (4) and five (5) years;

18 (H) For commissions of thirteen (13) members, the initial
19 terms shall be two (2) members with terms for one (1) and two (2) years, and
20 three (3) members with terms for three (3), four (4), and five (5) years;

21 (I) For commissions of fourteen (14) members, the initial
22 terms shall be two (2) members with terms for (1) year, and three (3) members
23 with terms for two (2), three (3), four (4), and five (5) years; and

24 (J) For commissions of fifteen (15) members, the initial
25 terms shall be three (3) members with terms for one (1), two (2), three (3),
26 four (4), and five (5) years.

27 (f) Upon the appointment of the commissioners as provided in this
28 section, the mayor and city council shall execute such instruments and enact
29 such measures as may be necessary to vest complete charge of the municipally
30 owned parks and recreation facilities in the commissioners.

31 (g) Any commissioner appointed by the provisions of this section may
32 be removed for cause upon a two-thirds (2/3) vote of the elected and
33 qualified members of the city council.

34
35
36