

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

As Engrossed: H2/24/03

A Bill

Act 294 of 2003
SENATE BILL 131

5 By: Senators Brown, Steele
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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.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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 parks and recreation commission ~~by two (2)~~
33 ~~additional members~~ to no more than fifteen (15) members under subsection (e)
34 of this section if the city council determines that an enlarged commission
35 could better serve the city's parks and recreation program.

36 (b)(1)(A) The commissioners shall be appointed by the mayor, shall be



1 confirmed by a majority vote of the duly elected and qualified members of the
2 city council, and shall hold office for a term of five (5) years.

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

9 (2) The commissioners may be reappointed.

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

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

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

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

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

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

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

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

35 (B) For commissions of seven (7) members, the initial
36 terms shall be one (1) member each with terms for one (1), two (2), and three

1 (3) years, and two (2) members with terms for four (4) and five (5) years;

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

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

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

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

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

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

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

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

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

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

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34 /s/ Brown, et al

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36 APPROVED: 3/4/2003