

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1969

5 By: Representative Wardlaw
6 By: Senator D. Wallace
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING ARKANSAS'S
10 CONTRIBUTION TO THE NATIONAL STATUARY HALL
11 COLLECTION; AND FOR OTHER PURPOSES.
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Subtitle

14 TO AMEND ARKANSAS LAW CONCERNING
15 ARKANSAS'S CONTRIBUTION TO THE NATIONAL
16 STATUARY HALL COLLECTION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 1-4-134, as created by Act 581 of 2019, is
23 amended to read as follows:

24 1-4-134. Arkansas's contribution to National Statuary Hall Collection
25 – Legislative findings and intent.

26 (a) The General ~~assembly~~ Assembly finds that:

27 (1) Pursuant to an act of the United States Congress, Arkansas
28 is entitled to have placed in the National Statuary Hall Collection in the
29 United States Capitol statues, in marble or bronze, not exceeding two (2) in
30 number, of deceased persons who were citizens of Arkansas, and illustrious
31 for their historic renown, or for distinguished civil or military service,
32 whom Arkansas deems to be worthy of this national commemoration;

33 (2) Arkansas has two (2) statues presently displayed in the
34 National Statuary Hall Collection, one (1) dedicated to U.M. Rose by Senate
35 Concurrent Resolution No. 6, Acts 1915, p. 1486, and one (1) dedicated to
36 James P. Clarke by Acts 1917, No. 58;



1 (3) Agreement by the General Assembly is required by federal law
 2 to replace the existing statues of U.M. Rose and James P. Clarke with statues
 3 of Daisy Lee Gatson Bates and John R. "Johnny" Cash;

4 (4) Daisy Lee Gatson Bates, a citizen of Arkansas, served as a
 5 civil rights activist, writer, and publisher who worked and documented the
 6 struggle to end segregation in Arkansas;

7 (5) Daisy Lee Gatson Bates is an inspiration through her
 8 lifelong career of social activism and her dedication to ending segregation
 9 in Arkansas;

10 (6) John R. "Johnny" Cash, a citizen of Arkansas, is a legendary
 11 musician, who sold over ninety million (90,000,000) records, is one of the
 12 few people to be recognized in both the Country Music Hall of Fame and the
 13 Rock and Roll Hall of Fame, and who received numerous awards for his work;
 14 and

15 (7) John R. "Johnny" Cash articulated the story of his life in
 16 Arkansas through his music and made historic contributions to the musical
 17 history of our state and country.

18 (b) The General Assembly finds and resolves that the statues of U.M.
 19 Rose and James P. Clarke located in the National Statuary Hall Collection in
 20 the United States Capitol should be removed and replaced with statues of
 21 Daisy Lee Gatson Bates and John R. "Johnny" Cash.

22 (c) The Secretary of State shall:

23 (1) Submit to the person responsible for the National Statuary
 24 Hall Collection in the United States Capitol a written request to approve the
 25 replacement of both of the statues commemorating the distinguished service of
 26 Arkansas notable citizens and provided by the State of Arkansas currently on
 27 display in the National Statuary Hall Collection in the United States
 28 Capitol;

29 (2) ~~Provide~~ Coordinate with Arkansas's congressional delegation
 30 to provide all documentation necessary to comply with federal law regarding
 31 the National Statuary Hall Collection in the United States Capitol; and

32 (3) Enter into all agreements required by federal law to replace
 33 both of the statues in the National Statuary Hall Collection in the United
 34 States Capitol; ~~and~~

35 ~~(4) Coordinate with the Capitol Arts and Grounds Commission to~~
 36 ~~facilitate the statue replacement process.~~

1 (d) The General Assembly designates the following citizens of Arkansas
 2 to be represented in the National Statuary Hall Collection in the United
 3 States Capitol:

4 (1) Daisy Lee Gatson Bates; and

5 (2) John R. "Johnny" Cash.

6 ~~(e) For the statues to be displayed in the National Statuary Hall
 7 Collection in the United States Capitol, the commission shall:~~

8 ~~(1) Receive funds for the completion, transport, display, and
 9 maintenance of the statue representing Daisy Lee Gatson Bates under
 10 subdivision (d)(1) of this section or the statue representing John R.~~

11 ~~"Johnny" Cash under subdivision (d)(2) of this section, or both, including:~~

12 ~~(A) Appropriations; and~~

13 ~~(B) Private gifts, grants, and donations from individuals
 14 and organizations;~~

15 ~~(2) Solicit funds, if necessary, for the completion, transport,
 16 display, and maintenance of the statue representing Daisy Lee Gatson Bates
 17 under subdivision (d)(1) of this section or the statue representing John R.
 18 "Johnny" Cash under subdivision (d)(2) of this section, or both;~~

19 ~~(3) Select a sculptor to create the statue representing Daisy
 20 Lee Gatson Bates under subdivision (d)(1) of this section or a sculptor to
 21 create the statue representing John R. "Johnny" Cash under subdivision (d)(2)
 22 of this section, or both;~~

23 ~~(4) Enter into all necessary contracts for the completion,
 24 transport, display, and maintenance of the statue representing Daisy Lee
 25 Gatson Bates under subdivision (d)(1) of this section or the statue
 26 representing John R. "Johnny" Cash under subdivision (d)(2) of this section,
 27 or both;~~

28 ~~(5) Approve the design, material, production, and method of
 29 display of the statue representing Daisy Lee Gatson Bates under subdivision
 30 (d)(1) of this section or the statue representing John R. "Johnny" Cash under
 31 subdivision (d)(2) of this section, or both;~~

32 ~~(6) Remove and relocate the existing statue representing U.M.
 33 Rose and the statue representing James P. Clarke; and~~

34 ~~(7) Organize an event unveiling the statue representing Daisy
 35 Lee Gatson Bates and the statue representing John R. "Johnny" Cash.~~

36 (e) For the statues to be displayed in the National Statuary Hall

1 Collection in the United States Capitol, the Secretary of State shall:

2 (1) Receive funds for the design, completion, transport, and
3 display of the statue representing Daisy Lee Gatson Bates under subdivision
4 (d)(1) of this section or the statue representing John R. "Johnny" Cash under
5 subdivision (d)(2) of this section, or both, including without limitation:

6 (A) Appropriations made specific to this section; and

7 (B) Private gifts, grants, and donations from individuals
8 and organizations to be deposited as trust funds into the National Statuary
9 Hall Collection Trust Fund;

10 (2) Provide communication and outreach methods to fund the
11 completion, transport, and display of the statue representing Daisy Lee
12 Gatson Bates under subdivision (d)(1) of this section or the statue
13 representing John R. "Johnny" Cash under subdivision (d)(2) of this section,
14 or both;

15 (3) Enter into all necessary contracts for the design,
16 completion, transport, and display of the statue representing Daisy Lee
17 Gatson Bates under subdivision (d)(1) of this section or the statue
18 representing John R. "Johnny" Cash under subdivision (d)(2) of this section,
19 or both;

20 (4) Prior to the approval of the design, material, production,
21 and method of display of the statue representing Daisy Lee Gatson Bates under
22 subdivision (d)(1) of this section or the statue representing John R.
23 "Johnny" Cash under subdivision (d)(2) of this section, or both, submit the
24 proposed action for review by:

25 (A) The Legislative Council or the Joint Budget Committee
26 if the General Assembly is in session;

27 (B) The Capitol Arts and Grounds Commission; and

28 (C) Any other commission established to facilitate the
29 purposes of this section;

30 (5) Remove and relocate the existing statue representing U.M.
31 Rose and the existing statue representing James P. Clarke in the National
32 Statuary Hall Collection in the United States Capitol; and

33 (6) Organize an event unveiling the statue representing Daisy
34 Lee Gatson Bates and the statue representing John R. "Johnny" Cash.

35 (f) The Secretary of State and the Capitol Arts and Grounds Commission
36 are not responsible for funding any costs specific to this section from

1 sources not designated specifically to the placement and replacement of
2 Arkansas statues in the National Statuary Hall Collection in the United
3 States Capitol.

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5 SECTION 2. Arkansas Code § 22-3-503(a), concerning the powers and
6 duties of the Capitol Arts and Grounds Commission, is amended to add an
7 additional subdivision to read as follows:

8 (4) To review proposed actions of the Secretary of State under §
9 1-4-134 regarding the design, material, production, and method of display of
10 the statue representing Daisy Lee Gatson Bates under § 1-4-134(d)(1) or the
11 statue representing John R. "Johnny" Cash under § 1-4-314(d)(2), or both.

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13 SECTION 3. Arkansas Code Title 19, Chapter 5, Subchapter 11, is
14 amended to add an additional section to read as follows:

15 19-5-1149. National Statuary Hall Collection Trust Fund.

16 (a) There is established on the books of the Treasurer of State, the
17 Auditor of State, and the Chief Fiscal Officer of the State a trust fund to
18 be known as the "National Statuary Hall Collection Trust Fund."

19 (b) The National Statuary Hall Collection Trust Fund shall consist of:

20 (1) Gifts, grants, and donations from individuals and
21 organizations to fund Arkansas's contribution to the National Statuary Hall
22 Collection in the United States Capitol; and

23 (2) Any other funds as may be provided by law, including
24 appropriations made specifically to the National Statuary Hall Collection
25 Trust Fund.

26 (c) The National Statuary Hall Collection Trust Fund shall be used
27 exclusively for the purpose of placement and replacement of Arkansas statues
28 in the National Statuary Hall Collection in the United States Capitol as
29 provided under § 1-4-134.

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31 SECTION 4. DO NOT CODIFY. Rules.

32 (a) The Secretary of State may promulgate rules necessary to implement
33 this act.

34 (b)(1) If adopting necessary initial rules to implement this act, a
35 final rule shall be filed with the Secretary of State for adoption under §
36 25-15-204(f):

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(A) On or before March 1, 2020; or

(B) If approval under § 10-3-309 has not occurred by March 1, 2020, as soon as practicable after approval under § 10-3-309.

(2) The Secretary of State shall file any necessary proposed rules with the Legislative Council under § 10-3-309 sufficiently in advance of March 1, 2020, so that the Legislative Council may consider the rule for approval before March 1, 2020.