

Stricken language would be deleted from present law. Underlined language would be added to present law.

As Engrossed: H1/31/97

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1401

4
5
6
7
8

By: *Representatives Miller, George, Faris, and Purdom*

For An Act To Be Entitled

9 "AN ACT TO TRANSFER ADMINISTRATION OF THE ARKANSAS
10 ENTERTAINERS HALL OF FAME PROGRAM TO THE DEPARTMENT OF
11 PARKS AND TOURISM; TO PRESCRIBE THE FUNCTIONS OF THE
12 ENTERTAINERS HALL OF FAME BOARD; TO PROVIDE FOR THE
13 TRANSFER OF THE ENTERTAINERS HALL OF FAME CASH FUND
14 BALANCE TO THE DEPARTMENT OF PARKS AND TOURISM; AND FOR
15 OTHER PURPOSES."

16
17
18
19
20
21
22

Subtitle

"TO TRANSFER ADMINISTRATION OF THE
ARKANSAS ENTERTAINERS HALL OF FAME
PROGRAM TO THE DEPARTMENT OF PARKS AND
TOURISM."

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. It is the intent and purpose of this act to transfer the
26 authority and responsibility for administration of the Arkansas Entertainers
27 Hall of Fame from the Arkansas Entertainers Hall of Fame Board to the Arkansas
28 Department of Parks and Tourism; to continue the Arkansas Entertainers Hall of
29 Fame Board with the authority and responsibility only to meet annually to
30 select entertainers for induction into the Entertainers Hall of Fame and to
31 plan and supervise the annual ceremony for the induction of entertainers into
32 the Entertainers Hall of Fame; and to transfer Entertainers Hall of Fame -
33 Cash Fund balances to the Department of Parks and Tourism to be used for the
34 administration and promotion of the Arkansas Entertainers Hall of Fame
35 program.

36

1 SECTION 2. All powers, functions and duties of the Arkansas
2 Entertainers Hall of Fame Board with respect to the administration and
3 promotion of the Arkansas Entertainers Hall of Fame program, except the
4 function of annually selecting the entertainers who are to be inducted into
5 the Entertainers Hall of Fame and the planning and supervision of the annual
6 ceremony for inducting entertainers into the Hall of Fame, which are hereby
7 reserved to the Arkansas Entertainers Hall of Fame Board, are hereby
8 transferred to and shall hereafter be exercised by the Arkansas Department of
9 Parks and Tourism.

10

11 SECTION 3. All Hall of Fame - Cash Fund balances as reflected in the
12 books of the Chief Fiscal Officer, the Treasurer of State, and the Auditor of
13 State are hereby transferred to the Arkansas Department of Parks and Tourism
14 to be maintained in a separate account and used for the administration and
15 promotion of the Arkansas Entertainers Hall of Fame program.

16

17 SECTION 4. Arkansas Code 13-9-101(c)(2) is amended to read as
18 follows:

19 "(2) The board shall meet ~~quarterly and at those other times~~
20 ~~which its rules and bylaws may prescribe~~ annually."

21

22 SECTION 5. Arkansas Code 13-9-103 is amended to read as follows:

23 "13-9-103. Functions and powers.

24 (a) It shall be the function and main purpose of the board to
25 honor those, living or dead, who, by achievement or service, have made
26 outstanding and lasting contributions to entertainment in Arkansas or
27 elsewhere, by annually selecting Arkansas entertainers for induction
28 into the Arkansas Entertainers Hall of Fame.

29 ~~(b)(1) The board may adopt any rules, regulations, and bylaws~~
30 ~~which may be needed to carry out its functions.~~

31 ~~(2) It may also conduct surveys and polls and may appoint any~~
32 ~~committees and representatives which it may determine to be necessary or~~
33 ~~desirable.~~

34 ~~(3) The board may acquire suitable quarters to be used by the~~
35 ~~board for the display of busts, statues, plaques, books, papers,~~
36 ~~pictures, and other exhibits relating to entertainment. It shall also be~~

1 the responsibility of the board to plan and supervise the annual
2 ceremony for the induction of Arkansas entertainers into the Arkansas
3 Entertainers Hall of Fame.

4 (c) The board may adopt appropriate rules and regulations
5 concerning the procedures to be followed in selecting inductees."

6
7 SECTION 6. Arkansas Code 13-9-104 is amended to read as follows:

8 "13-9-104. Donations.

9 The ~~board~~ Department of Parks and Tourism may solicit and accept
10 donations, contributions, and gifts of money and property to be used for
11 the support of the Arkansas Entertainers Hall of Fame program. All
12 property, money, income, and resources, ~~and activities~~ of the ~~board~~
13 Department received for support of the program shall be exempt from
14 taxation. ~~All and all~~ gifts made to the ~~board~~ Department shall ~~also~~ be
15 tax exempt from taxation."

16
17 SECTION 7. Arkansas Code 13-9-102 is hereby repealed.

18 ~~13-9-102. Office space and staff.~~

19 ~~The board shall be domiciled within the State of Arkansas, where~~
20 ~~it shall maintain halls, rooms, or quarters which are considered~~
21 ~~suitable and appropriate for conducting its affairs. The board may~~
22 ~~appoint an executive secretary or director and such staff as may be~~
23 ~~necessary for the performance of its duties and functions.~~

24
25 SECTION 8. All provisions of this act of a general and permanent
26 nature are amendatory to the Arkansas Code of 1987 Annotated and the
27 Arkansas Code Revision Commission shall incorporate the same in the
28 Code.

29
30 SECTION 9. If any provision of this act or the application
31 thereof to any person or circumstance is held invalid, such invalidity
32 shall not affect other provisions or applications of the act which can
33 be given effect without the invalid provision or application, and to
34 this end the provisions of this act are declared to be severable.

35
36 SECTION 10. All laws and parts of laws in conflict with this act

1 are hereby repealed.

2

3 SECTION 11. EMERGENCY. It is hereby found and determined by the
4 General Assembly that it is essential to the effective and efficient
5 administration of the Arkansas Entertainers Hall of Fame program that
6 the responsibility for administering and promoting the program be placed
7 in the Department of Parks and Tourism as soon as possible and that this
8 act is designed to accomplish this purpose and should be given effect
9 immediately. Therefore an emergency is declared to exist and this act
10 being immediately necessary for the preservation of the public peace,
11 health and safety shall become effective on the date of its approval by
12 the Governor. If the bill is neither approved nor vetoed by the
13 Governor, it shall become effective on the expiration of the period of
14 time during which the Governor may veto the bill. If the bill is vetoed
15 by the Governor and the veto is overridden, it shall become effective on
16 the date the last house overrides the veto.

17

/s/Rep. Miller et al

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35