

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

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

As Engrossed: S2/21/97 H3/13/97

A Bill

SENATE BILL 394

4
5 *By: Senators Gwatney and Mahony*
6 *By: Rep. D. Hudson and Molinaro*

For An Act To Be Entitled

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10 "AN ACT TO PERMIT OWNERS OR MANAGERS OF BUSINESSES
11 *RESIDING WITHIN A CITY OR WITHIN THE COUNTY* TO SERVE ON
12 THE ADVERTISING AND PROMOTION COMMISSION; *TO DECLARE AN*
13 *EMERGENCY; AND FOR OTHER PURPOSES.*"

Subtitle

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16 "TO PERMIT OWNERS OR MANAGERS OF
17 BUSINESSES *RESIDING WITHIN A CITY OR*
18 *WITHIN THE COUNTY* TO SERVE ON THE
19 ADVERTISING AND PROMOTION COMMISSION."

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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code 26-75-605(a) is amended to read as
24 follows:

25 "(a) Any city levying a tax pursuant to this subchapter shall, by
26 ordinance, create a city advertising and promotion commission, to be
27 composed of seven (7) members, ~~each of whom shall reside within the~~
28 ~~levying city,~~ as follows:

29 (1) Four (4) members shall be owners or managers of businesses in
30 the tourism industry, and the owner or manager shall reside in the
31 levying city or, if the governing body of the city provides for by
32 ordinance, the owner or manager may reside outside of the city but
33 within the county in which the city is located, at least three (3) of
34 whom shall be owners or managers of hotels, motels, or restaurants, and
35 who shall serve for staggered terms of four (4) years;

36 (2) Two (2) members of the commission shall be members of the

1 governing body of the city and selected by the governing body and shall
2 serve at the will of the governing body; and

3 (3) One (1) member shall be from the public at large, who shall
4 reside within the levying city, and shall serve for a term of four (4)
5 years."

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7 SECTION 2. All provisions of this act of a general and permanent
8 nature are amendatory to the Arkansas Code of 1987 Annotated and the
9 Arkansas Code Revision Commission shall incorporate the same in the
10 Code.

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12 SECTION 3. If any provision of this act or the application
13 thereof to any person or circumstance is held invalid, such invalidity
14 shall not affect other provisions or applications of the act which can
15 be given effect without the invalid provision or application, and to
16 this end the provisions of this act are declared to be severable.

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18 SECTION 4. All laws and parts of laws in conflict with this act
19 are hereby repealed.

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21 SECTION 5. Emergency. It is hereby found and determined by the
22 Eighty-First General Assembly of the State of Arkansas that advertising
23 and promotion commission members should represent as large as cross-
24 section of the community as possible; that the law restricts somewhat
25 the capacity of persons to serve; and that it is immediately necessary
26 for this process to be opened up to other persons. Therefore, in order
27 to broaden community representation, an emergency is hereby declared to
28 exist, and this act being necessary for the immediate preservation of
29 the public peace, health, and safety shall become effective on the date
30 of its approval by the Governor. If the bill is neither approved or
31 vetoed by the Governor, it shall become effective on the expiration of
32 the period of time during which the Governor may veto the bill. If the
33 bill is vetoed by the Governor and the vote is overridden, it shall
34 become effective on the date the last house overrides the vote.

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/s/Gwatney et al