

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 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/15/01 H3/27/01

A Bill

HOUSE BILL 2021

5 By: Representative Minton
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For An Act To Be Entitled

9 AN ACT TO INCREASE THE MEMBERSHIP OF ADVERTISING
10 AND PROMOTION COMMISSIONS; AND FOR OTHER
11 PURPOSES.
12

Subtitle

14 TO INCREASE THE MEMBERSHIP OF
15 ADVERTISING AND PROMOTION COMMISSIONS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 *SECTION 1. Arkansas Code 26-75-605 is amended to read as follows:*
21 *26-75-605. Advertising and promotion commissions.*

22 *(a) Any city levying a tax pursuant to this subchapter shall, by*
23 *ordinance, create a city advertising and promotion commission.*

24 *(b) The city may create a commission that is composed of seven (7)*
25 *members or nine (9) members.*

26 *(c)(1) A commission to be composed of seven (7) members, as follows*
27 *shall include:*

28 *(1) (A)(i) Four (4) Three (3) members shall be owners or*
29 *managers of businesses in the tourism industry hotels, motels, or*
30 *restaurants, and the owner or manager shall reside in the levying city or, if*
31 *the governing body of the city provides for by ordinance, the owner or*
32 *manager may reside outside of the city but within the county in which the*
33 *city is located, at least ~~three (3)~~ two (2) of whom shall be owners or*
34 *managers of hotels, motels, or restaurants, and who shall serve for staggered*
35 *terms of four (4) years.*

36 *(ii) One (1) member may also be an owner or manager*

1 of a hotel, motel, or restaurant as provided for in subdivision (c)(1)(A) or
 2 a member of the city's chamber of commerce;

3 ~~(2)(B)~~ Two (2) members of the commission shall be members
 4 of the governing body of the city and selected by the governing body and
 5 shall serve at the will of the governing body; and

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

9 ~~(b) (2)~~ In the case of a city creating the commission authorized
 10 in this ~~section~~ subdivision (c)(1) after March 4, 1993, the initial members
 11 of the commission shall be selected as follows:

12 ~~(1) (A)~~ The four (4) ~~tourism industry~~ positions provided
 13 for in subdivision ~~(a)(1)~~ (c)(1)(A) of this section shall be filled by
 14 appointment made by the governing body of the city for staggered terms so
 15 that:

16 ~~(A) (i)~~ One (1) member will serve for a term of one
 17 (1) year;

18 ~~(B) (ii)~~ One (1) for a term of two (2) years;

19 ~~(C) (iii)~~ One (1) for a term of three (3) years; and

20 ~~(D) (iv)~~ One (1) for a term of four (4) years.

21 ~~(2) (B)~~ The at-large position provided for in subdivision
 22 ~~(a)(3)~~ (c)(1)(C) of this section shall be filled by nomination by the chief
 23 administrator of the city and approval by the governing body of the city.

24 ~~(e) (3)~~ In the case of a city in which a city advertising and
 25 promotion commission exists on March 4, 1993, the members of the commission
 26 shall continue in office for the balance of the terms to which they have been
 27 previously appointed; provided that, if on that date no commission member has
 28 been appointed to hold an at-large position, the mayor shall designate one
 29 (1) of the commission members who is also a member of the governing body of
 30 the city to fill the at-large position provided for in subdivision ~~(a)(3)~~
 31 (c)(1)(C) for a term of not longer than one (1) year.

32 ~~(d) (4)~~ Vacancies on the commission, whether resulting from
 33 expiration of a regular term or otherwise, in any of the four (4) ~~tourism~~
 34 ~~industry~~ positions provided for in subdivision ~~(a)(1)~~ (c)(1)(A) or in the at-
 35 large position provided for in subdivision ~~(a)(3)~~ (c)(1)(C) shall be filled
 36 by appointment made by the remaining members of the commission, ~~with the~~

1 ~~approval of the governing body of the city.~~

2 (d)(1) A commission composed of nine (9) members shall include:

3 (A)(i) Four (4) members shall be owners or managers of
4 hotels, motels, or restaurants, and the owner or manager shall reside in the
5 levying city or, if the governing body of the city provides for by ordinance,
6 the owner or manager may reside outside of the city but within the county in
7 which the city is located, at least three (3) of whom shall be owners or
8 managers of hotels, motels, or restaurants, and who shall serve for staggered
9 terms of four (4) years.

10 (ii) One (1) member may also be an owner or manager
11 of a hotel, motel, or restaurant as provided for in subdivision (d)(1)(A) or
12 a member of the city's chamber of commerce;

13 (B) Two (2) members of the commission shall be members of
14 the governing body of the city and selected by the governing body, and shall
15 serve at the will of the governing body; and

16 (C) Two (2) members shall be from the public at large, who
17 shall reside within the levying city, and shall serve for a term of four (4)
18 years.

19 (2) In the case of a city creating or expanding the commission
20 authorized in this subdivision (d)(1) after October 1, 2001, the initial
21 members of the commission shall be selected as follows:

22 (A) The five (5) positions provided for in subdivision
23 (d)(1)(A) of this section shall be filled by appointment made by the
24 governing body of the city for staggered terms so that:

25 (i) One (1) member will serve for a term of one (1)
26 year;

27 (ii) One (1) for a term of two (2) years;

28 (iii) One (1) for a term of three (3) years; and

29 (iv) Two (2) for a term of four (4) years.

30 (B) The at-large positions provided for in subdivision
31 (d)(1)(C) of this section shall be filled by nomination by the chief
32 administrator of the city and approval by the governing body of the city.

33 (3) In the case of a city in which a city advertising and
34 promotion commission exists on October 1, 2001, the members of the commission
35 shall continue in office for the balance of the terms to which they have been
36 previously appointed; provided that, if on that date no commission member has

1 been appointed to hold an at-large position, the mayor shall designate one
2 (1) of the commission members who is also a member of the governing body of
3 the city to fill the at-large position provided for in subdivision (d)(1)(C)
4 for a term of not longer than one (1) year.

5 (4) Vacancies on the commission, whether resulting from
6 expiration of a regular term or otherwise, in any of the five (5) positions
7 provided for in subdivision (d)(1)(A) or in the at-large positions provided
8 for in subdivision (d)(1)(C) shall be filled by appointment made by the
9 remaining members of the commission.

10 /s/ Minton

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