

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1969

By: Representative Wardlaw
By: Senator D. Wallace

For An Act To Be Entitled

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

Subtitle

TO AMEND ARKANSAS LAW CONCERNING
ARKANSAS'S CONTRIBUTION TO THE NATIONAL
STATUARY HALL COLLECTION.

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

SECTION 1. Arkansas Code § 1-4-134, as created by Act 581 of 2019, is amended to read as follows:

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

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

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

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



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

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

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

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

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

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

(c) The Secretary of State shall:

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

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

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

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

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

- (1) Daisy Lee Gatson Bates; and
- (2) John R. "Johnny" Cash.

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

~~(1) Receive funds for the completion, transport, display, and maintenance of the statue representing Daisy Lee Gatson Bates under subdivision (d)(1) of this section or the statue representing John R. "Johnny" Cash under subdivision (d)(2) of this section, or both, including:~~

~~(A) Appropriations; and~~

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

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

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

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

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

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

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

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

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

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

(A) Appropriations made specific to this section; and

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

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

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

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

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

(B) The Capitol Arts and Grounds Commission; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 4. DO NOT CODIFY. Rules.

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

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

(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.

APPROVED: 4/16/19