

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: S2/19/01 S2/21/01*

# A Bill

Act 802 of 2001  
SENATE BILL 472

5 By: Senator Mahony  
6 By: Representative M. Smith  
7  
8

## For An Act To Be Entitled

9  
10 AN ACT TO PLACE THE DUTIES OF MUSEUM SERVICES UNDER  
11 THE STATE PARKS DIVISION OF THE DEPARTMENT OF PARKS  
12 AND TOURISM; TO ABOLISH THE MUSEUM SERVICES DIVISION  
13 OF THE DEPARTMENT OF PARKS AND TOURISM; AND FOR OTHER  
14 PURPOSES.  
15

### Subtitle

16  
17 AN ACT TO PLACE THE DUTIES OF THE MUSEUM  
18 SERVICES UNDER THE STATE PARKS DIVISION  
19 OF THE DEPARTMENT OF PARKS AND TOURISM.  
20  
21

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

24 SECTION 1. Arkansas Code 13-5-202 through 13-5-205 are repealed:

25 ~~13-5-202. Museum Services Division created.~~

26 ~~The Department of Parks and Tourism is authorized and directed to create~~  
27 ~~and establish a museum services division to operate under the direction and~~  
28 ~~supervision of the director of the department.~~  
29

30 ~~13-5-203. Division's functions.~~

31 ~~(a) The Arkansas Museum Services Division shall be a state program of~~  
32 ~~assistance and funding, within the limitations of funds provided therefor, to~~  
33 ~~museums programs.~~

34 ~~(b) The division shall be developed and operated and devoted primarily~~  
35 ~~to the development of services, projects, and funding beneficial to museums~~  
36 ~~programs.~~

1           ~~(c) The division shall be a central assistance and information resource~~  
2 ~~for all museums and museum personnel in Arkansas.~~

3  
4           ~~13-5-204. Division director Duties.~~

5           ~~(a) The Arkansas Museum Services Division shall be headed by a director~~  
6 ~~to be appointed by the Director of the Department of Parks and Tourism.~~

7           ~~(b) The division director shall develop and administer all Arkansas~~  
8 ~~Museum Services Division programs, monitor the grants-in-aid, and act in~~  
9 ~~advisory and consulting capacity to the Director of the Department of Parks~~  
10 ~~and Tourism.~~

11           ~~(c) The division director shall determine the needs of museums and~~  
12 ~~related programs and provide and establish those services deemed necessary,~~  
13 ~~beneficial, and appropriate. He shall do any and all other acts or things~~  
14 ~~deemed necessary or appropriate to foster and promote development of museums~~  
15 ~~and related programs in Arkansas.~~

16  
17           ~~13-5-205. Acceptance of grants, donations, etc.~~

18           ~~The Arkansas Museum Services Division within the Department of Parks and~~  
19 ~~Tourism shall be an official agency authorized to accept and receive any~~  
20 ~~grants, moneys, equipment, materials and services, real and personal property~~  
21 ~~donated or bequeathed or devised for any purpose relating to the development~~  
22 ~~of museums, related programs, and the heritage of Arkansas and not expressly~~  
23 ~~designated for some other state agency and to disburse and utilize such gifts~~  
24 ~~for the purposes of this subchapter.~~

25  
26           SECTION 2. Arkansas Code 13-5-206 is amended to read as follows:

27           ~~13-5-206. Program of grants-in-aid and technical assistance.~~

28           ~~The Arkansas Museum Services Division~~ State Parks Division of the  
29 Department of Parks and Tourism shall establish and carry out a program of  
30 grants-in-aid to eligible museums or, in appropriate cases, organizations  
31 engaged in or concerned with history, science, art, or culture, on the basis  
32 of fifty percent (50%) state grant funds and fifty percent (50%) of the funds  
33 to be provided by the museum, as follows:

34           (1) Only museums and programs concerned with historical, scientific,  
35 cultural, or artistically oriented programs offering nonprofit services to the  
36 general public may make application for and qualify for funds under this

1 subchapter;

2 (2) None of the funds received by a museum or other organization which  
3 qualifies or utilizes funds under this subchapter shall be used as matching  
4 funds for other state funds; and

5 (3) All requests for state grant funds under this subchapter shall be  
6 prepared on forms promulgated or approved by the division and shall be in  
7 compliance with the provisions of this subchapter and with reasonable rules  
8 and regulations to be promulgated by the division for the administration of  
9 *this subchapter.*

10 (4) The division shall provide technical assistance and information to  
11 all museums and museum personnel in Arkansas, within the limitations of  
12 available staff and funding.

13

14 SECTION 3. Arkansas Code 13-5-207 is amended to read as follows:

15 13-5-207. Arkansas Museum ~~Services~~ Review Panel.

16 (a)(1) The Governor of the State of Arkansas shall establish an  
17 Arkansas Museum ~~Services~~ Review Panel to consist of five (5) members, one (1)  
18 member from each congressional district and one (1) member designated at  
19 large.

20 (2) The members shall serve two-year terms.

21 (b) The sole purpose and authority of the panel is to analyze, review,  
22 and approve the qualifications of the applications and to present  
23 recommendations to the Director of the ~~Arkansas Museum Services~~ State Parks  
24 Division for the awarding of grants to eligible museums on a yearly basis with  
25 the final approval of the Director of the Department of Parks and Tourism.

26 (c) The panel shall serve without pay. However, the division is  
27 authorized to reimburse the members of the panel for expenses in accordance  
28 with § 25-16-901 et seq.

29

30 SECTION 4. Arkansas Code 13-5-401 is amended to read as follows:

31 13-5-401. Museum established.

32 The ~~Arkansas Museum Services~~ State Parks Division of the Department of  
33 Parks and Tourism is authorized and directed to establish a state historical  
34 museum in Union County, to be known and operated as the "Arkansas Museum of  
35 Natural Resources".

36

1 SECTION 5. Arkansas Code 13-5-402 is amended to read as follows:

2 13-5-402. Functions and duties.

3 (a) The Arkansas Museum of Natural Resources shall be developed and  
4 operated by the ~~Arkansas Museum Services~~ State Parks Division of the  
5 Department of Parks and Tourism and shall be devoted primarily to the  
6 acquisition, cataloging, and display of machinery, equipment, and materials  
7 used in the oil boom in Arkansas.

8 (b) In addition, the Arkansas Museum of Natural Resources shall  
9 solicit, purchase, or accept donations of maps, core drilling samples, and  
10 other records of geological or historical value, to be made available to the  
11 public as a source of historical information concerning the geology and  
12 technology of the oil industry in this state.

13

14 SECTION 6. Arkansas Code 13-5-403 is amended to read as follows:

15 13-5-403. Museum site.

16 The Arkansas Museum of Natural Resources shall be established at a site  
17 to be approved by the ~~Arkansas Museum Services~~ State Parks Division, with the  
18 lands therefor, which shall consist of not less than five (5) acres, to be  
19 donated without cost to the State of Arkansas.

20

21 SECTION 7. Arkansas Code 13-5-404 is amended to read as follows:

22 13-5-404. Arkansas Museum of Natural Resources Advisory Committee.

23 (a) The Governor shall establish an Arkansas Museum of Natural  
24 Resources Advisory Committee, to consist of fifteen (15) members, appointed by  
25 the Governor, who shall serve in an advisory capacity to the ~~Arkansas Museum~~  
26 ~~Services~~ State Parks Division and the Director of the Department of Parks and  
27 Tourism.

28 (b)(1) At least half of the members shall be residents of oil or brine-  
29 producing counties of South Arkansas.

30 (2) All members shall be appointed for terms of five (5) years.

31 (3) All vacancies on the committee shall be filled by appointment  
32 by the Governor.

33 (c)(1) The members shall serve without pay.

34 (2) The division is authorized to reimburse the committee members  
35 for expenses in accordance with § 25-16-901 et seq.

36 (d)(1) The committee shall advise the division in the establishment of

1 policies and procedures for the development and operation of the Arkansas  
2 Museum of Natural Resources. However, final authority for all matters  
3 relating to the development and operation of the museum shall rest with the  
4 Director of the Department of Parks and Tourism.

5 (2) Under the supervision of the Director of the Arkansas Museum  
6 of Natural Resources and approval of the Director of the ~~Arkansas Museum~~  
7 ~~Services~~ State Parks Division, the committee shall develop and coordinate  
8 efforts to encourage gifts or donations to the museum of old records, maps,  
9 drawings, core samples, and other memorabilia to be accessioned, curated, and  
10 conserved by the museum for the use and benefit of students, scientists, and  
11 the public and for research into the early oil boom history of Arkansas.

12  
13 SECTION 8. Arkansas Code 13-5-601 is amended to read as follows:

14 13-5-601. Authorization.

15 The ~~Arkansas Museum Services~~ State Parks Division of the Department of  
16 Parks and Tourism is hereby authorized and directed to develop and operate a  
17 state historical museum in Arkansas County to be known and operated as the  
18 "Arkansas Post Museum".

19  
20 SECTION 9. Arkansas Code 13-5-602 is amended to read as follows:

21 13-5-602. Functions and duties.

22 (a) The Arkansas Post Museum shall be developed and operated by the  
23 ~~Arkansas Museum Services~~ State Parks Division of the Department of Parks and  
24 Tourism, and shall be devoted primarily to the acquisition, cataloging, and  
25 display of objects or materials which tell the story of the territorial  
26 settlement and development of Arkansas as a state and its relationship to the  
27 settlement of the Lower Mississippi Valley.

28 (b) The Arkansas Post Museum shall solicit, purchase, or accept  
29 donations of objects or materials of historical value to be made available to  
30 the public as a source of historical information concerning the territorial  
31 development and settlement of Arkansas with the approval of the Director of  
32 the State Parks Division.

33  
34 SECTION 10. Arkansas Code 13-5-603 is amended to read as follows:

35 13-5-603. Arkansas Post Museum Advisory Committee - Members.

36 (a) The Governor shall establish the Arkansas Post Museum Advisory

1 Committee, to consist of not fewer than seven (7) nor more than nine (9)  
2 members as determined by the Governor.

3 (b)(1) All members shall be appointed for terms of five (5) years.

4 (2) All vacancies on the committee shall be filled by appointment  
5 by the Governor.

6 (c) At least one (1) of the members of the committee shall be a  
7 historian by profession.

8 (d)(1) The members of the advisory committee shall serve without pay.

9 (2) The ~~Arkansas Museum Services~~ State Parks Division is  
10 authorized to reimburse the committee members for expenses in accordance with  
11 § 25-16-901 et seq.

12  
13 SECTION 11. Arkansas Code 13-5-604 is amended to read as follows:

14 13-5-604. Arkansas Post Museum Advisory Committee - Duties.

15 (a) The members of the Arkansas Post Museum Advisory Committee shall  
16 serve in an advisory capacity to the ~~Arkansas Museum Services~~ State Parks  
17 Division of the Department of Parks and Tourism in the establishment of  
18 policies and procedures for the development and operation of the Arkansas Post  
19 Museum. However, final authority for all matters relating to the development  
20 and operation of the Arkansas Post Museum shall rest with the Director of the  
21 Department of Parks and Tourism.

22 The advisory committee shall develop and coordinate efforts to  
23 encourage gifts to the Arkansas Post Museum, under the supervision of the  
24 Director of the Arkansas Post Museum with the approval of the Director of the  
25 State Parks Division.

26  
27 SECTION 12. All powers, duties, and functions of the Museum Services  
28 Division of the Department of Parks and Tourism are hereby transferred to the  
29 State Parks Division of the Department of Parks and Tourism.

30 /s/ Mahony

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33 APPROVED: 3/15/2001