

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.
Act 1379 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

SENATE BILL 1152

5 By: Senator Faris
6
7

For An Act To Be Entitled

8 AN ACT TO AMEND VARIOUS ARKANSAS LAWS CONCERNING
9 THE CAPITOL ARTS AND GROUNDS COMMISSION; AND FOR
10 OTHER PURPOSES.
11

Subtitle

12 AN ACT TO AMEND VARIOUS ARKANSAS LAWS
13 CONCERNING THE CAPITOL ARTS AND GROUNDS
14 COMMISSION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 22-3-501(2), concerning the definition of
22 "project", is amended to read as follows:

23 (2) "Project" or "capital improvement project" shall mean and
24 include:

25 ~~(A) The location of new buildings and facilities on the~~
26 ~~State Capitol grounds;~~

27 ~~(B) The expansion of or addition to existing buildings and~~
28 ~~facilities located on the State Capitol grounds;~~

29 ~~(C) The location or relocation of parking lots and parking~~
30 ~~facilities on the State Capitol grounds;~~

31 ~~(D) The the location of memorials, fountains, monuments,~~
32 ~~sculpture, and other works of art, including proposals for the relocation of~~
33 ~~any fountains, memorials, or monuments and similar facilities on the State~~
34 ~~Capitol grounds;~~

35 ~~(E) The installation of lights and lighting equipment on~~



1 ~~the State Capitol grounds;~~
 2 ~~(F) The location and development of streets, curbs,~~
 3 ~~gutters, and sidewalks on the State Capitol grounds; and~~
 4 ~~(G) Landscaping projects or changes in landscaping design~~
 5 ~~on the State Capitol grounds involving an expenditure in labor and material~~
 6 ~~over one thousand dollars (\$1,000);~~

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 8 SECTION 2. Arkansas Code § 22-3-502 is amended to read as follows:
 9 22-3-502. Creation - Members, etc.

10 (a)(1) There is created a Capitol Arts and Grounds Commission.

11 (2) The commission shall be composed of ~~fifteen (15)~~ ten (10)
 12 members as follows:

13 (A) The Governor or a designee;

14 (B) The Secretary of State or a designee who shall serve
 15 as the commission chair ~~and an ex officio member;~~

16 (C) The Director of the Arkansas Historic Preservation
 17 Program;

18 (D) The Director of the Department of Parks and Tourism;

19 ~~(E) The Chair of the Capitol Zoning District Commission;~~

20 ~~(F)~~(E) One (1) landscape architect in this state, to be
 21 named by the Secretary of State from a list of three (3) names submitted to
 22 him or her by the Arkansas Chapter of the American Society of Landscape
 23 Architects;

24 ~~(G)~~(F) One (1) licensed architect in this state, to be
 25 named by the Secretary of State from a list of three (3) names submitted to
 26 him or her by the Arkansas Chapter of the American Institute of Architects;

27 ~~(H) Two (2) citizen members at large, to be appointed by~~
 28 ~~the Governor, who shall serve four-year terms;~~

29 ~~(I)~~(G) ~~Four (4)~~ Two (2) citizen members at large, to be
 30 appointed by the Secretary of State, who shall serve four-year terms; and

31 ~~(J)~~(H) The President Pro Tempore of the Senate shall
 32 appoint one (1) nonlegislator to serve at his or her pleasure as a member of
 33 the commission, and the Speaker of the House of Representatives shall appoint
 34 one (1) nonlegislator to serve at his or her pleasure as a member of the
 35 commission.

36 (b) Members of the commission shall serve without pay, but they shall

1 be reimbursed by Secretary of State funds for reasonable and necessary
 2 expenses in attending commission meetings and in the performance of duties of
 3 the commission if funds are provided for the reimbursement in accordance with
 4 the rate prescribed for state employees in state travel regulations.

5 (c)(1) The commission shall meet ~~at least two (2) times a year or~~ on
 6 the call of the chair or upon written request by any four (4) of its members.

7 (2) A majority vote of the voting members of the commission
 8 shall be necessary for the adoption of any action by the commission.

9 (d)(1) The terms of office of the members of the commission appointed
 10 by the ~~Governor and the~~ Secretary of State shall be four (4) years.

11 (2)(A)(i) Within ninety (90) days prior to the expiration of the
 12 term of office of each professional member, the American Society of Landscape
 13 Architects may submit to the Secretary of State a list of three (3) names of
 14 licensed landscape architects for each position for which a term expires.

15 (ii) Within ninety (90) days prior to the expiration
 16 of the term of office of each professional member, the American Institute of
 17 Architects may submit to the Secretary of State a list of three (3) names of
 18 licensed architects for each position for which a term expires.

19 (B) Appointments expire June 30.
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21 SECTION 3. Arkansas Code § 22-3-503 is amended to read as follows:
 22 22-3-503. Powers and duties.

23 (a) The Capitol Arts and Grounds Commission shall have the following
 24 powers and duties:

25 ~~(1) To obtain and maintain information from state agencies~~
 26 ~~concerning their current and anticipated future needs for space on the State~~
 27 ~~Capitol grounds for the location of projects, as defined in § 22-3-501, to be~~
 28 ~~developed by the agencies;~~

29 ~~(2) To recommend a Capitol Master Plan for capital improvement~~
 30 ~~projects on the State Capitol grounds and to review the plan from time to~~
 31 ~~time to keep it up to date;~~

32 ~~(3)~~(1) To recommend the acquisition of land for such expansion
 33 of the State Capitol grounds as may be required to meet the needs of state
 34 agencies;

35 ~~(4) To file an annual report with the Secretary of State;~~

36 ~~(5)~~(2) To review and recommend to the Secretary of State on the

1 location of monuments, memorials, fountains, and similar improvements on the
 2 State Capitol grounds or for the relocation of existing monuments, memorials,
 3 and fountains on the State Capitol grounds; and

4 ~~(6)(3)~~ To review any permanent statue, statuary, fountain,
 5 monument, or memorial tablet to be erected in the public areas of the State
 6 Capitol Building or on its grounds for compliance with the adopted plan; ~~and~~

7 ~~(7) To review all permanent paintings or permanent mural~~
 8 ~~decorations or other permanent ornaments to be placed in the public areas of~~
 9 ~~the State Capitol Building.~~

10 (b) The commission shall have the right to accept donations in money,
 11 pictures, paintings, statuary fountains, and memorial tablets on behalf of
 12 the state for the State Capitol Building. In cases of money donations, the
 13 commission shall have the right to expend the money in decorations, either in
 14 the building or on the grounds thereof. To that end, the commission may make
 15 all necessary contracts for the expenditure of the funds.

16 ~~(e) Upon adoption of the plan, the Secretary of State shall file one~~
 17 ~~(1) copy for public display and file one (1) copy with the Joint Legislative~~
 18 ~~Facilities Committee.~~

19 ~~(d)(c)~~ Any monument on the State Capitol grounds as approved by the
 20 commission must be authorized by an act of the General Assembly.

21
 22 SECTION 4. Arkansas Code § 22-3-504 is amended to read as follows:
 23 22-3-504. Requests - Contents, hearings, etc.

24 (a) Before any state agency shall undertake a capital improvement
 25 project, as defined in § 22-3-501, on the State Capitol grounds, a request
 26 shall be filed with the Capitol Grounds Commission for its review of the
 27 proposed project.

28 (b) The Capitol Grounds Commission may require that the requests
 29 include:

30 (1) Architectural and landscaping plans, if appropriate, for the
 31 project;

32 (2) Sufficient information to demonstrate compliance with
 33 applicable standards for development; and

34 ~~(3) Sufficient information to demonstrate compliance with the~~
 35 ~~Capitol Master Plan;~~

36 ~~(4)(3)~~ Sufficient information to demonstrate consistency of the

1 project with zoning regulations of the Capitol Zoning District Commission.

2 (c) Upon receipt of a request for review of a project, the Capitol
3 Grounds Commission shall hold a public meeting for the purpose of obtaining
4 the views of the public on the proposed project. Notices of meetings shall be
5 mailed to interested persons, either by separate notice or by inclusion on
6 the Capitol Grounds Commission's meeting agenda, at least ten (10) days in
7 advance of the meeting.

8 (d) If, upon review of the request for review of the project, the
9 Capitol Grounds Commission believes that more information relating to the
10 project is required, the Capitol Grounds Commission may postpone action on
11 the request and may ask the requesting agency or the Capitol Grounds
12 Commission staff to provide additional information.

13 (e) If the Capitol Grounds Commission determines that the proposed
14 project is ~~consistent with the Capitol Master Plan and with Capitol Zoning~~
15 ~~District Commission regulations and is~~ in the best interest of the use of
16 space on the State Capitol grounds, the Capitol Grounds Commission may give
17 favorable advice.

18 (f) No state agency shall undertake a capital improvement project, as
19 defined in § 22-3-501, on the State Capitol grounds unless the project is
20 first submitted to and approved by the General Assembly.

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23 APPROVED: 3/29/2005
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