

State of Arkansas
88th General Assembly
Regular Session, 2011

A Bill

HOUSE BILL 2002

By: Representative Linck

For An Act To Be Entitled

AN ACT TO CREATE THE ARKANSAS GREAT PLACES PROGRAM TO
PROVIDE SUPPORT FOR COMMUNITY DEVELOPMENT EFFORTS AND
ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE ARKANSAS GREAT PLACES
PROGRAM.

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

SECTION 1. Arkansas Code Title 15, Chapter 11, is amended to add an
additional subchapter to read as follows:

Subchapter 8. Arkansas Great Places Program.

15-11-801. Legislative intent.

(a) The General Assembly finds that:

(1) The state of Arkansas has a range of geographic and cultural
diversity. stretching from the Ozark Mountains, to the Ouachita Mountains, to
the Arkansas River Valley, to the Delta, and to the Timberlands;

(2) The economics of each of these geographic regions,
encompassed in the four (4) congressional districts, provide different
opportunities for their respective residents;

(3) A community, city, or nonprofit organization that has the
organization in place, the motivation, and has acquired a base of financial
resources to move itself ahead in the search for visitors and potential
investors should be provided additional finances and resources to set their
community or city apart as an "Arkansas Great Place"; and

(4) Visitors and potential investors in the State of Arkansas



1 should be given the chance to acquaint themselves with the communities and
2 cities that are the "Arkansas Great Places" of each congressional area.

3 (b) The purpose of this subchapter is to create a system and resources
4 for geographic and culturally diverse communities and cities to be recognized
5 as Arkansas Great Places.

6
7 15-11-802. Arkansas Great Places Program -- Creation.

8 (a)(1) The Department of Arkansas Heritage shall administer and
9 establish the Arkansas Great Places Program to:

10 (A) Provide planning and financial assistance to eligible
11 organizations for community development; and

12 (B) Combine resources of state government in an effort to
13 showcase the unique and authentic qualities of communities, regions,
14 neighborhoods, and districts that make those locations exceptional places to
15 work and live.

16 (2) The Arkansas Department of Economic Development and the
17 Arkansas Department of Parks and Tourism shall provide assistance to the
18 Department of Arkansas Heritage in administering and establishing the
19 program.

20
21 15-11-803. Eligibility for Arkansas Great Places Program.

22 (a) As used in this subchapter, "eligible organization" means:

23 (1) A county;

24 (2) A municipality or incorporated town; or

25 (3) A nonprofit organization.

26 (b)(1) An eligible organization may apply to the Department of
27 Arkansas Heritage for participation in the program.

28 (2) The department shall forward applications for participation
29 in the Arkansas Great Places Program to the Arkansas Natural and Cultural
30 Heritage Advisory Committee to select applicants for participation in the
31 program.

32 (c) An application for participation in the program shall be for a
33 project that will:

34 (1) Stimulate economic growth;

35 (2) Enhance local community development efforts;

36 (3) Foster creative economies;

1 (4) Enhance the quality of life in the community where the
2 eligible organization is located;

3 (5) Promote awareness and enjoyment of the natural and cultural
4 heritage of Arkansas; or

5 (6) Foster cooperative efforts among organizations, businesses,
6 and government.

7 (d) The committee shall not approve an application for participation
8 in the program if the application would:

9 (1) Fund academic research;

10 (2) Be awarded to a for-profit organization or event;

11 (3) Fund programs or projects that disregard the need to
12 preserve, protect, or conserve historical sites, structures, artifacts, and
13 the environment; or

14 (4) Be outside accepted professional museum or environmental
15 standards.

16 (e)(1) An application for participation in the program shall indicate
17 the amount of funds the eligible organization wishes to receive.

18 (2) As a condition of participating in the program, an eligible
19 organization shall pledge matching funds from non-governmental sources in the
20 following amounts:

21 (A) An eligible organization located in a community with a
22 population of less than five thousand (5,000) residents shall pledge at least
23 ten percent (10%) of the total amount of funding requested from the Arkansas
24 Great Places Fund, § 19-5-1243;

25 (B) An eligible organization located in a community with a
26 population of at least five thousand (5,000) residents but less than ten
27 thousand (10,000) residents shall pledge at least twenty percent (20%) of the
28 total amount of funding requested from the Arkansas Great Places Fund; and

29 (C) An eligible organization located in a community with a
30 population of ten thousand (10,000) or more residents shall pledge at least
31 thirty percent (30%) of the total amount of funding requested from the
32 Arkansas Great Places Fund.

33 (f) The Department of Arkansas Heritage shall promulgate rules
34 necessary to implement the program, including without limitation rules
35 containing:

36 (1) The procedure to apply for participation in the program; and

1 (2) The criteria to be used by the Arkansas Natural and Cultural
2 Heritage Advisory Committee when determining whether to award a grant.

3 (g)(1) The Department of Arkansas Heritage may make investigations and
4 audits of an eligible organization participating in the program to determine
5 that all funds granted under this subchapter are handled and expended for the
6 purposes as approved by the Department of Arkansas Heritage in awarding the
7 funds.

8 (2) During an investigation or audit, an eligible organization
9 shall provide any information requested by the Department of Arkansas
10 Heritage to ensure that funds were handled and expended properly by the
11 eligible organization.

12 (h)(1) The awarding of funds under this subchapter is contingent on
13 the appropriation and availability of funding for the program.

14 (2) The Department of Arkansas Heritage shall not solicit or
15 accept applications for the program if funds for the program are not
16 available.

17
18 15-11-804. Selection for Arkansas Great Places Program.

19 (a)(1) The committee shall select four (4) eligible organizations for
20 participation in the Arkansas Great Places Program.

21 (2) The committee shall select an eligible organization from
22 each of the four (4) congressional districts.

23 (3) Two (2) of the four (4) eligible organizations shall be
24 located in communities of ten thousand (10,000) residents or less.

25 (b) A member of the committee shall recuse from the consideration of
26 an application for participation in the program by an eligible organization
27 located in the county in which the member of the committee resides.

28 (c) The Department of Arkansas Heritage shall work with the Arkansas
29 Department of Economic Development to maximize grants awarded to participants
30 in the program.

31 (d)(1) When considering an application for a grant or other state
32 funds, a state agency shall give additional consideration or additional
33 points in the application of rating or evaluation criteria to an eligible
34 organization that is a participant in the program.

35 (2) Subdivision (d)(1) of this section applies to applications
36 filed within three (3) years of the eligible organization's selection as a

1 participant in the program.

2
3 SECTION 2. Arkansas Code Title 19, Chapter 5, Subchapter 11 is amended
4 to add an additional section to read as follows:

5 19-5-1243. Arkansas Great Places Program Fund.

6 (a) The Department of Arkansas Heritage may establish in a bank
7 authorized to do business in this state, and selected by the department, a
8 revolving cash fund entitled "Arkansas Great Places Program Fund" into which
9 the department shall deposit all funds received as matching funds from
10 eligible organizations participating in the Arkansas Great Places Program
11 under § 15-11-801 et seq.

12 (b) The department may receive gifts, grants, bequests, devises and
13 donations made to the department, amounts received as matching funds from
14 eligible organizations participating in the Arkansas Great Places Program
15 under § 15-11-801 et seq., and any other funds authorized by law to be used
16 in the furtherance of the purposes of the Arkansas Great Places Program under
17 § 15-11-801 et seq.

18 (c) In addition, the department may accept gifts, grants, or donations
19 from the federal government or agencies thereof, and private individuals,
20 foundations, or concerns to be used for the purposes of the Arkansas Great
21 Places Program under § 15-11-801 et seq.

22
23 SECTION 3. Arkansas Code § 25-3-104 is amended to read as follows:

24 25-3-104. Arkansas Natural and Cultural Heritage Advisory Committee.

25 (a) There is established an Arkansas Natural and Cultural Heritage
26 Advisory Committee whose members shall consist of:

27 ~~(1) The chair of each of the respective commissions within the~~
28 ~~Department of Arkansas Heritage;~~

29 ~~(2) Five (5) members to be chosen from the public at large, with~~
30 ~~at least one (1) member to be chosen from each of the four (4) congressional~~
31 ~~districts of the state, to represent the general interest of the citizens of~~
32 ~~this state;~~

33 ~~(3) The Director, or his or her designee, of the Arkansas~~
34 ~~Archeological Survey.~~

35 ~~(b) The committee shall advise the director and the Governor on all~~
36 ~~aspects of the adequacy, development, operation, and needs of programs and~~

~~activities of the department and on overall coordination of the state's
programs of natural and cultural heritage.~~

~~(e) The Governor shall designate the chair of the committee.~~

(1) The Director of the Department of Arkansas Heritage;

(2) The Director of the Department of Arkansas Economic
Development;

(3) The Director of the Arkansas State Highway and
Transportation Department;

(4) The Director of the Department of Health;

(5) The Director of the Department of Parks and Tourism;

(6) The Director of the Arkansas State Game and Fish Commission;

(7) A person appointed by the Governor;

(8) A person appointed by the President Pro Tempore of the
Senate; and

(9) A person appointed by the Speaker of the House of
Representatives.

(b)(1) Except as provided in subdivision (b)(2) of this section,
persons appointed to the advisory committee by the Governor, President Pro
Tempore of the Senate, and the Speaker of the House of Representatives shall
serve terms of three (3) years.

(2) At the first meeting of the advisory committee after the
effective date of this act, members appointed to the committee by the
Governor, Speaker of the House of Representatives, or President Pro Tempore
of the Senate shall draw lots to stagger terms so that:

(A) One (1) member shall serve a term of one (1) year;

(B) One (1) member shall serve a term of two (2) years;

and

(C) One (1) member shall serve a term of three (3) years.

(c) The committee shall elect from its membership a chair and vice-
chair.

(d) A vacancy on the advisory committee in the positions appointed by
the Governor, President Pro Tempore of the Senate, and the Speaker of the
House of Representatives shall be filled by the appointing authority for the
unexpired portion of the term in which it occurs.

(e) A majority of the total membership of the advisory committee
constitutes a quorum.

1 (f) Members of the advisory committee appointed by the Governor,
2 President Pro Tempore of the Senate, and Speaker of the House of
3 Representatives may receive expense reimbursement and stipends under § 25-16-
4 901 et seq. as allowed by law.