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4

As Engrossed: H3/16/11

A Bill

HOUSE BILL 2002

5 By: Representatives Linck, Moore, J. Brown, J. Edwards
6

For An Act To Be Entitled

8 AN ACT TO CREATE THE ARKANSAS GREAT PLACES PROGRAM TO
9 PROVIDE SUPPORT FOR COMMUNITY DEVELOPMENT EFFORTS AND
10 ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 TO CREATE THE ARKANSAS GREAT PLACES
14 PROGRAM.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

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

22 Subchapter 8. Arkansas Great Places Program.

23 15-11-801. Legislative intent.

24 (a) The General Assembly finds that:

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

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

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

36 (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)(A) Except as provided in subdivision (e)(2)(B) of this
19 section, as a condition of participating in the program, an eligible
20 organization shall pledge matching funds from non-governmental sources in the
21 following amounts:

22 (i) An eligible organization located in a county with a
23 population of less than twenty thousand (20,000) residents shall pledge at
24 least ten percent (10%) of the total amount of funding requested from the
25 Arkansas Great Places Fund, § 19-5-1243;

26 (ii) An eligible organization located in a county with a
27 population of at least twenty thousand (20,000) but less than fifty thousand
28 (50,000) residents shall pledge at least twenty percent (20%) of the total
29 amount of funding requested from the Arkansas Great Places Fund; and

30 (iii) An eligible organization located in a county with a
31 population of fifty thousand (50,000) or more residents shall pledge at least
32 thirty percent (30%) of the total amount of funding requested from the
33 Arkansas Great Places Fund.

34 (B) When selecting an applicant for participation in the
35 program, the Arkansas Natural and Cultural Heritage Advisory Committee may
36 specify an amount of matching funds to be pledged by an eligible organization

1 in lieu of the amounts under subdivision (e)(2)(A) of this section.

2 (f) The Department of Arkansas Heritage shall promulgate rules
3 necessary to implement the program, including without limitation rules
4 containing:

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

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

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

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

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

19 (2) The Department of Arkansas Heritage shall not solicit or
20 accept applications for the program if funds for the program are not
21 available.

22
23 15-11-804. Selection for Arkansas Great Places Program.

24 (a)(1)(A) The Arkansas Natural and Cultural Heritage Advisory
25 Committee shall select four (4) eligible organizations for participation in
26 the Arkansas Great Places Program by July 1, 2012.

27 (B) An eligible organization selected for participation in
28 the program under subdivision (a)(1)(A) of this section shall participate in
29 the program for a two-year period.

30 (C) The committee shall select an eligible organization
31 under subdivision (a)(1)(A) of this section from each of the four (4)
32 congressional districts.

33 (D) Two (2) of the four (4) eligible organizations
34 selected under subdivision (a)(1)(A) of this section shall be located in
35 counties of twenty thousand (20,000) residents or less.

36 (2)(A) After July 1, 2012, the committee shall select by July 1

1 of each even-numbered year no more than four (4) eligible organizations for
2 participation in the program.

3 (B) An eligible organization selected for participation in
4 the program under subdivision (a)(2)(A) of this section shall participate in
5 the program for a two-year period.

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

9 (c) The Department of Arkansas Heritage shall work with the Arkansas
10 Department of Economic Development to maximize grants awarded to participants
11 in the program.

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

16 (2) Subdivision (d)(1) of this section applies to applications
17 filed within three (3) years of the eligible organization's selection as a
18 participant in the program.

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

22 19-5-1243. Arkansas Great Places Program Fund.

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

29 (b) The department may receive gifts, grants, bequests, devises and
30 donations made to the department, amounts received as matching funds from
31 eligible organizations participating in the Arkansas Great Places Program
32 under § 15-11-801 et seq., and any other funds authorized by law to be used
33 in the furtherance of the purposes of the Arkansas Great Places Program under
34 § 15-11-801 et seq.

35 (c) In addition, the department may accept gifts, grants, or donations
36 from the federal government or agencies thereof, and private individuals,

1 foundations, or concerns to be used for the purposes of the Arkansas Great
2 Places Program under § 15-11-801 et seq.

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

5 25-3-104. Arkansas Natural and Cultural Heritage Advisory Committee.

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

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

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

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

16 ~~(b) The committee shall advise the director and the Governor on all~~
17 ~~aspects of the adequacy, development, operation, and needs of programs and~~
18 ~~activities of the department and on overall coordination of the state's~~
19 ~~programs of natural and cultural heritage.~~

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

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

22 (2) The Director of the Department of Arkansas Economic

23 Development;

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

26 (4) The Director of the Department of Health;

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

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

29 (7) A person appointed by the Governor;

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

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

34 (b)(1) Except as provided in subdivision (b)(2) of this section,
35 persons appointed to the advisory committee by the Governor, President Pro
36 Tempore of the Senate, and the Speaker of the House of Representatives shall

1 serve terms of three (3) years.

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

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

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

8 and

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

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

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

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

18 (f) Members of the advisory committee appointed by the Governor,
19 President Pro Tempore of the Senate, and Speaker of the House of
20 Representatives may receive expense reimbursement and stipends under § 25-16-
21 901 et seq. as allowed by law.

22
23 *SECTION 4. Arkansas Code § 25-16-903(70) and (71), concerning \$60*
24 *stipends for members of certain state boards, is amended to read as follows:*

25 *"(70) Daisy Gatson Bates Holiday Committee; ~~and~~*

26 *(71) Amusement Ride Safety Advisory Board; and*

27 *(72) Arkansas Natural and Cultural Heritage Advisory Committee.*

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29 */s/Linck*
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