

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4  
5 By: Senator Irvin

# A Bill

SENATE BILL 419

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE ARKANSAS CIVIL  
9 WAR SESQUICENTENNIAL COMMISSION; TO AMEND THE LAW  
10 CONCERNING THE ARKANSAS NATURAL HERITAGE COMMISSION;  
11 TO ABOLISH THE PUBLIC ART PROGRAM OF THE ARKANSAS  
12 ARTS COUNCIL; TO AMEND THE LAW CONCERNING THE DELTA  
13 CULTURAL CENTER AND THE MOSAIC TEMPLARS OF AMERICA  
14 CENTER FOR AFRICAN-AMERICAN CULTURE AND BUSINESS  
15 ENTERPRISE ADVISORY BOARD; AND FOR OTHER PURPOSES.

## Subtitle

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19 TO AMEND THE LAW CONCERNING THE CIVIL WAR  
20 SESQUICENTENNIAL COMMISSION, THE ARKANSAS  
21 NATURAL HERITAGE COMMISSION, THE PUBLIC  
22 ART PROGRAM OF THE ARKANSAS ARTS COUNCIL,  
23 THE DELTA CULTURAL CENTER AND THE MOSAIC  
24 TEMPLE CULTURAL CENTER.

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26  
27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

28  
29 SECTION 1. Arkansas Code § 13-5-704(b)(2)(B)(iv), concerning the Delta  
30 Cultural Center Policy Advisory Board, is repealed.

31 ~~(iv) A member of the Arkansas Humanities Council,~~  
32 ~~Inc.;~~

33  
34 SECTION 2. Arkansas Code § 13-5-705 is repealed.

35 ~~13-5-705, Delta Cultural Center National Advisory Board,~~

36 ~~(a) There is created the Delta Cultural Center National Advisory Board~~



1 ~~which shall advise the Delta Cultural Center Policy Advisory Board and the~~  
 2 ~~Delta Cultural Center on placing the center's activities within the broad~~  
 3 ~~context of the history and development of the Mississippi River Delta.~~

4 ~~(b)(1) The Delta Cultural Center National Advisory Board will be~~  
 5 ~~composed of a minimum of fifteen (15) and a maximum of twenty five (25)~~  
 6 ~~members appointed by the Governor for five year terms.~~

7 ~~(2) The members shall have backgrounds in the humanities,~~  
 8 ~~folklore, history, and other disciplines relevant to the work of the center.~~

9 ~~(c) The Delta Cultural Center National Advisory Board shall meet at~~  
 10 ~~least annually.~~

11  
 12 SECTION 3. The introductory language of Arkansas Code § 13-5-  
 13 903(b)(1), concerning the Mosaic Templars of America Center for African-  
 14 American Culture and Business Enterprise Advisory Board, is amended to read  
 15 as follows:

16 (b)(1) The board shall consist of nine (9) members, ~~with at least one~~  
 17 ~~(1) from each congressional district,~~ appointed as follows:

18  
 19 SECTION 4. Arkansas Code Title 13, Chapter 8, Subchapter 2, is  
 20 repealed.

21 ~~Subchapter 2~~

22 ~~—Public Art Program~~

23  
 24 ~~13-8-201. Definitions.~~

25 ~~As used in this subchapter:~~

26 ~~(1) "Advisory council" means the Advisory Council of the~~  
 27 ~~Arkansas Arts Council;~~

28 ~~(2) "Arkansas artist" means an Arkansas native, a current~~  
 29 ~~resident of Arkansas, or a person who lived or worked in Arkansas for at~~  
 30 ~~least ten (10) years;~~

31 ~~(3) "Art" means original creations of visual arts, including,~~  
 32 ~~but not limited to, paintings, sculptures, reliefs, prints, graphics,~~  
 33 ~~tapestries, mosaics, murals, and leaded glass;~~

34 ~~(4)(A) "Artist" means a practitioner in the visual arts~~  
 35 ~~generally recognized by critics and his or her peers as a professional who~~  
 36 ~~produces art work.~~



~~(2) The remaining members of the board shall be as follows:~~

~~(A) The Executive Director of the Arkansas Arts Council;~~

~~(B) Two (2) architects, registered and licensed within the state, who shall be appointed by the Governor; and~~

~~(C) The program coordinator of the Arkansas Public Art Program.~~

~~(3) Members of the board may receive expense reimbursement in accordance with § 25-16-901 et seq.~~

~~(c) The board shall meet at least one (1) time every three (3) months or according to the release of capital expenditure information.~~

~~(d) The board shall annually select from its membership a chair.~~

~~(e) The duties of the board shall be as follows:~~

~~(1) To examine capital projects funded by the State of Arkansas and assure the inclusion of funding for art through the program;~~

~~(2) To establish policies and procedures for the selection and procurement of art;~~

~~(3) To appoint an art selection committee for each building site for which art is to be procured through the program;~~

~~(4) To provide advice and other assistance to the committees;~~  
and

~~(5) To inform the public concerning the program.~~

~~13-8-206. Selection committees.~~

~~(a)(1) Each selection committee shall be composed of nine (9) members. The membership shall be as follows:~~

~~(A) The chair of the Arkansas Public Art Advisory Board;~~

~~(B) The member of the Advisory Council of the Arkansas Arts Council who is appointed to the board;~~

~~(C) The architect of the construction or renovation project;~~

~~(D) The director of the agency that owns the building to be constructed or renovated;~~

~~(E) Two (2) representatives of the community in which the building is located who shall be appointed by the board based on the appointee's demonstrated love, appreciation, and experience with the arts and knowledge of the community;~~



1 ~~finance shall be deposited in the State Treasury as special revenues, and the~~  
 2 ~~Treasurer of State shall credit them to a fund to be known as the Arkansas~~  
 3 ~~Public Art Program Fund.~~

4 ~~(B) The fund shall be administered by the Arkansas Arts~~  
 5 ~~Council and shall be used for the administration of the Arkansas Public Art~~  
 6 ~~Program;~~

7 ~~(2) Not more than eighty percent (80%) of the funds shall be~~  
 8 ~~used to purchase or commission art for the building to be constructed or~~  
 9 ~~renovated;~~

10 ~~(3) Not less than twelve percent (12%) of the funds shall be~~  
 11 ~~used for the purchase or commission of art for other state buildings; and~~

12 ~~(4) The exact percentages provided for in subdivisions (2) and~~  
 13 ~~(3) of this section to be used shall be determined by the Arkansas Public Art~~  
 14 ~~Advisory Board.~~

15  
 16 ~~13-8-209. Award of contracts.~~

17 ~~Pursuant to the instruction of the selection committee for the project,~~  
 18 ~~the Building Authority Division of the Department of Finance and~~  
 19 ~~Administration shall award contracts for the purchase or commission of art~~  
 20 ~~work for the Arkansas Public Art Program, and the owner agency shall~~  
 21 ~~administer payments.~~

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 23 SECTION 5. Arkansas Code § 13-13-105 is repealed.

24 ~~13-13-105. Expiration of Arkansas Civil War Sesquicentennial~~  
 25 ~~Commission.~~

26 ~~The Arkansas Civil War Sesquicentennial Commission shall cease to exist~~  
 27 ~~effective December 31, 2015.~~

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 29 SECTION 6. Arkansas Code § 15-20-308(9)-(11), concerning the rights,  
 30 powers, and duties of the Arkansas Natural Heritage Commission, is amended to  
 31 read as follows:

32 (9) To investigate, promote, advise, and assist in the  
 33 preservation, protection, and management of natural areas; and

34 (10) To advise the United States Department of Agriculture and  
 35 the United States Department of the Interior and other agencies of the United  
 36 States Government concerning areas or streams eligible for treatment under

1 federal criteria as wildlife refuges, wilderness areas, or wild, scenic, or  
2 recreational rivers; and.

3 ~~(11) To submit to the Governor and the General Assembly and to~~  
4 ~~publish on or before December 1 of each year a report which shall describe~~  
5 ~~and account for the status and condition of each portion of the system and of~~  
6 ~~each natural area listed in the registry.~~

7  
8 SECTION 7. Arkansas Code § 19-6-301(123), concerning special revenue  
9 funds, is repealed.

10 ~~(123) Arkansas Public Art Program funds set aside within methods~~  
11 ~~of finance for each new state building or major capital improvement on a~~  
12 ~~state building, §§ 13-8-207 and 13-8-208;~~

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14 SECTION 8. Arkansas Code § 19-6-461 is repealed.

15 ~~19-6-461. Arkansas Public Art Program Fund.~~

16 ~~The Arkansas Public Art Program Fund shall consist of those special~~  
17 ~~revenues as specified in § 19-6-301(123), there to be used for the~~  
18 ~~administration of the Arkansas Public Art Program by the Arkansas Arts~~  
19 ~~Council as set out in § 13-8-201 et seq.~~

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