1 2	State of Arkansas 91st General Assembly	A Bill	
3	Regular Session, 2017		SENATE BILL 419
4			
5	By: Senator Irvin		
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7		For An Act To Be Entitled	
8	AN ACT T	O AMEND THE LAW CONCERNING THE ARKANSA	S CIVIL
9	WAR SESQ	UICENTENNIAL COMMISSION; TO AMEND THE	LAW
10	CONCERNI	NG THE ARKANSAS NATURAL HERITAGE COMMI	SSION;
11	TO ABOLI	SH THE PUBLIC ART PROGRAM OF THE ARKAN	ISAS
12	ARTS COU	NCIL; TO AMEND THE LAW CONCERNING THE	DELTA
13	CULTURAL	CENTER AND THE MOSAIC TEMPLARS OF AME	CRICA
14	CENTER F	OR AFRICAN-AMERICAN CULTURE AND BUSINE	SS
15	ENTERPRI	SE ADVISORY BOARD; AND FOR OTHER PURPO	OSES.
16			
17			
18		Subtitle	
19	TO	AMEND THE LAW CONCERNING THE CIVIL WAR	3
20	SES	SQUICENTENNIAL COMMISSION, THE ARKANSAS	3
21	NAT	TURAL HERITAGE COMMISSION, THE PUBLIC	
22	ART	PROGRAM OF THE ARKANSAS ARTS COUNCIL	,
23	THI	E DELTA CULTURAL CENTER AND THE MOSAIC	
24	TEN	MPLE CULTURAL CENTER.	
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26			
27	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKA	NSAS:
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29		kansas Code § 13-5-704(b)(2)(B)(iv), c	oncerning the Delta
30	Cultural Center Poli	cy Advisory Board, is repealed.	
31	_	(iv) A member of the Arkansas Hum	anities Council,
32	Inc.;		
33 24	CECTAN O	January Cada & 12 E 705 ta mana 3 1	
34 25		kansas Code § 13-5-705 is repealed.	and
35 36		a Cultural Center National Advisory Be created the Delta Cultural Center Nati	
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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 Covernor 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

1	(B) However, "artists" shall not include any person who is	
2	the architect for a project for which art work is to be selected or any	
3	member of the architect's firm; and	
4	(5) "Board" means the Arkansas Public Art Advisory Board.	
5		
6	13-8-202. Applicability.	
7	This subchapter shall not apply to those state buildings which the	
8	Building Authority Division of the Department of Finance and Administration,	
9	with the advice of the Arkansas Public Art Advisory Board, determines are not	
10	normally accessible to the public.	
11		
12	13-8-203. Establishment — Purpose.	
13	(a) There is established an Arkansas Public Art Program to be	
14	administered by the Arkansas Arts Council.	
15	(b) The purpose of the program shall be to set aside funds for the	
16	purchase or commission of art work for state buildings and to select	
17	appropriate art works.	
18		
19	13-8-204. Program coordinator.	
20	The Advisory Council of the Arkansas Arts Council through its executive	
21	director may employ a program coordinator and fix the coordinator's	
22	compensation, duties, authorities, and responsibilities.	
23		
24	13-8-205. Arkansas Public Art Advisory Board.	
25	(a) There is established the Arkansas Public Art Advisory Board to be	
26	composed of seven (7) members.	
27	(b)(1)(A) The Advisory Council of the Arkansas Arts Council shall	
28	appoint three (3) members as follows:	
29	(i) One (1) member shall be a member of the advisory	
30	council;	
31	(ii) One (1) member shall be representative of the	
32	art history and criticism discipline; and	
33	(iii) One (1) member shall be a professional artist.	
34	(B) The members appointed by the advisory council shall	
35	serve for three year terms and be appointed by virtue of their knowledge,	
36	dedication, and experience.	

1	(2) The remaining members of the board shall be as follows:
2	(A) The Executive Director of the Arkansas Arts Council;
3	(B) Two (2) architects, registered and licensed within the
4	state, who shall be appointed by the Governor; and
5	(C) The program coordinator of the Arkansas Public Art
6	Program.
7	(3) Members of the board may receive expense reimbursement in
8	accordance with § 25-16-901 et seq.
9	(c) The board shall meet at least one (1) time every three (3) months
10	or according to the release of capital expenditure information.
11	(d) The board shall annually select from its membership a chair.
12	(e) The duties of the board shall be as follows:
13	(1) To examine capital projects funded by the State of Arkansas
14	and assure the inclusion of funding for art through the program;
15	(2) To establish policies and procedures for the selection and
16	procurement of art;
17	(3) To appoint an art selection committee for each building site
18	for which art is to be procured through the program;
19	(4) To provide advice and other assistance to the committees;
20	and
21	(5) To inform the public concerning the program.
22	
23	13-8-206. Selection committees.
24	(a)(1) Each selection committee shall be composed of nine (9) members.
25	The membership shall be as follows:
26	(A) The chair of the Arkansas Public Art Advisory Board;
27	(B) The member of the Advisory Council of the Arkansas
28	Arts Council who is appointed to the board;
29	(C) The architect of the construction or renovation
30	project;
31	(D) The director of the agency that owns the building to
32	be constructed or renovated;
33	(E) Two (2) representatives of the community in which the
34	building is located who shall be appointed by the board based on the
35	appointee's demonstrated love, appreciation, and experience with the arts and
36	knowledge of the community;

-	(1) In proceedings representative of the art missery of
2	criticism field to be appointed by the board;
3	(G) A practicing artist who shall be appointed by the
4	board; and
5	(H) The program coordinator of the Arkansas Public Art
6	Program who shall serve as a nonvoting member.
7	(2) No artist who has work under consideration for selection by
8	a committee shall be eligible to serve on the committee.
9	(b) Committee members may receive expense reimbursement in accordance
10	with § 25-16-901 et seq.
11	(c)(l) It shall be the duty of the committee to select works of art
12	for purchase or commission for the building site.
13	(2) If all factors are equivalent, preference shall be given to
14	the selection of works of art by Arkansas artists.
15	(3) The committee shall fulfill communication needs between the
16	communities, the building occupants, the public, the architects, and the
17	artists.
18	(d) The committee shall dissolve upon the procurement of the art work
19	for the building site.
20	
21	13-8-207. Funds set aside.
22	(a) For each new state building for which total projected cost to
23	construct and equip the building is greater than five million dollars
24	(\$5,000,000), one half percent (1/2%) or less of the total projected cost shall
25	be set aside and designated within the method of finance for the purchase or
26	commission of art through the Arkansas Public Art Program.
27	(b) One-half percent (½%) or less of the total projected cost of any
28	major capital improvement on a state building shall be set aside and
29	designated within the method of finance for the purchase or commission of art
30	through the program, if the total projected cost of the capital improvement
31	is greater than five million dollars (\$5,000,000).
32	
33	13-8-208. Distribution of funds.
34	Funds set aside for the purchase or commission of art through the
35	Arkansas Public Art Program shall be divided as follows:
36	(1)(A) Eight percent (8%) of the funds drawn from the method of

1	inance shall be deposited in the State Freasury 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.	
22		
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.	
28		
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 revnue
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;
13	
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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