

Act 39 of 1967

AN ACT TO DESIGNATE THE PROGRAM OF ARCHEOLOGICAL RESEARCH AND DISCOVERY PROVIDED FOR IN ACT 82 OF 1959, AS THE ARKANSAS ARCHEOLOGICAL SURVEY; TO IMPLEMENT AND EXPAND SAID PROGRAM BY PROVIDING FOR THE APPOINTMENT OF A DIRECTOR OF THE SURVEY AND A STATE ARCHEOLOGIST; TO PRESCRIBE A PROCEDURE WHEREBY ANY PUBLIC INSTITUTION OF HIGHER LEARNING IN ARKANSAS MAY PARTICIPATE IN THE PROGRAM; TO AUTHORIZE THE SURVEY TO MUTUALLY ASSIST AND COOPERATE WITH THE ARKANSAS ARCHEOLOGICAL SOCIETY IN FURTHERING THE PURPOSES OF PUBLIC ARCHEOLOGICAL EDUCATION; AND FOR OTHER PURPOSES:

Be it Enacted by the General Assembly of the State of Arkansas:

SECTION 1. The Program of archeological research and discovery being carried on under the supervision of the Board of Trustees of the University of Arkansas pursuant to the provisions of Act 82 of 1959, shall be continued pursuant to and in accordance with the provisions of said Act 82 of 1959, and the provisions of this Act, and said program is hereby designated and shall hereafter be referred to as the Arkansas Archeological Survey. The Board of Trustees of the University of Arkansas shall continue to be the administrative agent for the Survey, and the purposes and aims of the Survey shall continue to be set forth in Act 82, but it is the specific intent of this Act to enlarge and broaden the program and to authorize and encourage all public institutions of higher learning in Arkansas to participate therein in the manner provided herein.

SECTION 2. The Board of Trustees of the University of Arkansas shall appoint a Director of the Arkansas Archeological Survey from the Anthropologists on the staff of the University who shall be responsible for the overall administration and coordination of the Survey, and who shall serve at the pleasure of the Board of Trustees of the University. The Director shall perform these duties and any others as may be set by the Board of Trustees of the University of Arkansas and not from funds appropriated for the Arkansas Archeological Survey.

The Board of Trustees of the University of Arkansas shall appoint a State Archeologist who shall have a Doctor of Philosophy Degree in Anthropology, or the equivalent in training and experience, and such other full or part time employees as may be required to carry on the program, all of whom shall possess such qualifications as may be prescribed by the Board of Trustees. The State Archeologist shall be a full-time employee of the Survey and he and all other full or part-time employees of the Survey, except the Director, shall receive compensation not to exceed the maximum authorized for each position by the General Assembly from funds appropriated for the Survey. Funds appropriated for the Arkansas Archeological Survey shall be by specific appropriation separate and distinct from funds appropriated for the University of Arkansas, and shall be used exclusively for the purposes of the Survey. All expenditures of funds appropriated for the Arkansas Archeological Survey, shall be made in accordance with and subject to the State purchasing laws, the State travel laws and regulations, and other laws and regulations applicable thereto.

SECTION 3. The Arkansas Archeological Survey shall initiate, operate, and maintain a program in archeology which shall include, but not be limited to, the following areas of action:

(a) Excavation of historical sites, ruins, and mounds for the purpose of securing data and objects relating to early man in Arkansas;

(b) Fundamental research in Arkansas archeology and encouragement of public cooperation in the preservation of Arkansas antiquities;

(c) Research in and study of anthropology, geology, and related social and physical sciences, both prior to excavation and thereafter in order to plan and aid in discovery of sites and artifacts and their proper assessment once discovered;

(d) Publication of finds in terms of their scientific, popular, and cultural values; (e) Display and custodianship of relics, artifacts, sites and other tangible results of the program;

(f) Educational activities providing a stimulus to archeological efforts and the encouragement of archeological societies, parks, and museums.

SECTION 4. All public institutions of higher learning in Arkansas desiring to participate in the program provided for in Act 82 of 1959, and this Act, may contract with the University of Arkansas for Survey archeologists to be assigned to and in residence at the contracting institutions. Any such institutions desiring to be assigned a Survey archeologist in residence at the institution shall agree to provide the University under contract an amount not less than the equivalent of twenty-five percent (25%) of the salary of the archeologist upon a nine (9) month basis, and when such contract is entered into by the University of Arkansas and a cooperating institution, the Survey archeologist may be assigned to and based at the cooperating institution for the contract period which shall normally be twelve (12) months unless a shorter period is provided in the contract. During the portion of the Survey archeologist's time contracted for by a cooperating institution, he may perform research, teaching, or other related functions as may be directed by the cooperating institution in accordance with the terms of the contract, provided such other functions shall not be such as to interfere with the effective performance of his duties as a Survey archeologist.

The University of Arkansas shall enter into contracts with cooperating institutions for the assignment of Survey personnel to the extent that such assignments are consistent with the purposes and aims of the Survey, and insofar as funds and personnel permit such contracts to be made or renewed.

SECTION 5. The Arkansas Archeological Survey shall serve as the repository for copies of all archeological field notes, photographs, publications, or other records obtained through the use of State funds by whatever agency. All archeological objects found through the efforts of the Survey shall be deposited at the University of Arkansas Museum, provided, archeological objects obtained by Survey archeologists while under contract to and assigned to a cooperating institution may, upon request of the cooperating institution, be assigned to the custody of such institution if appropriate and adequate safeguards are provided.

SECTION 6. The Arkansas Archeological Survey shall hold title to and have primary responsibility for all archeological objects and materials obtained pursuant to this program, or otherwise accruing to the Survey and it shall be the responsibility of the Director of the Survey to see that all archeological material is properly and adequately safeguarded, and available at all reasonable time to interested scientists, and to the public insofar as funds and good scientific practices permit. The Director of the Survey may, whenever it is consistent with good scientific practices and in the furtherance of the aims and purposes of the Survey as stated in the Act and Act 82 of 1959, approve of and permit the loan of such objects and materials to a state museum in Arkansas, to educational or scientific institutions or organizations, or other institutions or organizations for purposes of research or public education.

SECTION 7. The University of Arkansas and cooperating institutions shall provide appropriate housing to the extent that it is available in the nature of laboratory and office space for Arkansas Archeological Survey personnel without cost to the Survey, and said personnel shall be deemed employees of the University of Arkansas.

SECTION 8. The Arkansas Archeological Survey is hereby authorized to assist and support the programs of the Arkansas Archeological Society to the extent that the purposes and aims of the two coincide.

SECTION 9. The Arkansas Archeological Society is hereby requested to annually review and evaluate the programs and activities of the Arkansas Archeological Survey and to provide written reports of such evaluation to the Director of the Survey, each state-supported institution of higher learning and such other interested institutions and agencies that may request the same.

SECTION 10. The provisions of the Act shall be supplemental to Act 82 of the General Assembly of Arkansas of 1959, and shall not repeal or modify any provisions of said Act 82 except as specifically provided herein.

SECTION 11. In the event that any provisions of his Act are declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of the Act and applicability thereof to other persons and circumstances shall not be affected.