DAH - HISTORIC PRESERVATION

Enabling Laws

Act 1605 of 2003 provides current operating authority for the Arkansas Historic Preservation Program.

The Arkansas Historic Preservation Program (AHPP) was created by the Arkansas General Assembly in 1969 (A.C.A. § 13-7-101 et seq.; § 13-7-501 et seq.) In Act 1001 of 1975 AHPP became a division of the Department of Arkansas Heritage.

History and Organization

Agency Mission Statement

The mission of the Arkansas Historic Preservation Program is to fulfill the objectives of the National Historic Preservation Act through the identification, preservation, and protection of the cultural heritage of the State of Arkansas. The AHPP is charged with "conducting relations with representatives of the Federal Government, the respective states, governmental units within Arkansas, State Agencies, organization and individuals with regard to matters of historic preservation."

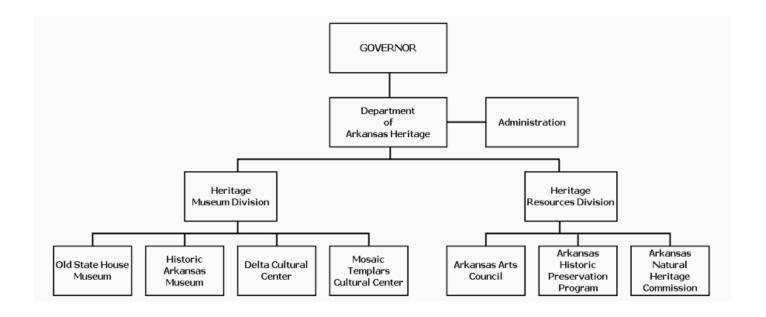
Brief Discussion of Statutory Responsibilities and Primary Activities

Act 480 of 1977 and Act 663 of 1983 established the current AHPP operations. The National Historic Preservation Act of 1966 (Public Law 89-655,16 USC & 470, et seq) establishes criteria that the AHPP must follow to be eligible for federal funding. The state and federal legislation that jointly set out the AHPP responsibilities specify areas in which the agency must operate: to develop a plan for the historic, architectural, and cultural resources of the state; to conduct surveys of those resources; and to accept conservation easements on those resources.

The primary agency activities include: surveying historic properties, nominating historic properties to the National Register of Historic Places, and ensuring that all federal agencies comply with the review and compliance requirements of Section 106 of the National Historic Preservation Act of 1966, as amended. AHPP reviews and provides recommendations to the Secretary of the Interior on requests for certification of significance, certification of rehabilitation, and certification of local districts and state and local statutes for participation in preservation tax incentives. AHPP also administers various state and federal historic preservation grant programs, educational outreach activities for students and adults, and operation of the Main Street Arkansas downtown revitalization program. There are seventeen Arkansas cities currently active in the Main Street Program.

Advisory Board or Commission

The Arkansas Historic Preservation Program maintains an eleven member State Review Board whose qualifications and responsibilities in the administration of the program and composition are in accordance with those defined in 36 CFR 61.4. This board is appointed by the Governor.



Agency Commentary

See Agency Commentary in DAH - Central Administration page 25.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT

AUDIT OF:

DEPARTMENT OF ARKANSAS HERITAGE - HISTORIC PRESERVATION FOR THE YEAR ENDED JUNE 30, 2003

Findings Recommendations

Findings are reported in a single audit under DAH - Central Administration page 27.

Employment Summary

	Male	Female	Total	%
White Employees	12	11	23	100 %
Black Employees	0	0	0	0 %
Other Racial Minorities	0	0	0	0%
Total Minorities	5		0	0%
Total Employee	es		23	100 %

Publications

A.C.A 25-1-204

		Statutory	Requir	ed for	# Of	Reason (s) for Continued
	Name	Authorization	Governor	General Assembly	Copies	Publication and Distribution
ĺ	None	N/A	N	N	0	N/A

Department Appropriation / Program Summary

Historical Data

Agency Request and Executive Recommendation

2003-2			4	2004-200)5	2004-200)5	2	2005-	2006			2006	-2007	
Appro	priation / Program	Actual	Pos	Budget	Pos	Authorized	Pos	Agency	Pos	Executive	Pos	Agency	Pos	Executive	Pos
2JH F	Historic Preservation-Treasury	0	0	4,800	0	10,755	0	4,800	0	4,800	0	4,800	0	4,800	0
477 H	Historic Pres-Real Estate Transfer	1,866,201	16	1,998,400	6	0	6	0	6	0	6	0	6	0	6
491 F	Historic Preservation-Fed Prog	531,991	8	1,201,250	18	1,298,018	18	1,415,567	19	1,390,567	19	1,440,222	19	1,415,222	19
960 N	Main Street Cash in Treasury	36,852	0	50,000	0	50,000	0	50,000	0	50,000	0	50,000	0	50,000	0
Total		2,435,044	24	3,254,450	24	1,358,773	24	1,470,367	25	1,445,367	25	1,495,022	25	1,470,022	25
Fundir	ng Sources		%		%				%		%		%		%
Fund Balan	ice 4000005	959,450	32.0	563,182	17.1			29,782	2.0	29,782	2.0	19,707	1.3	19,707	1.3
Federal Rev	venue 4000020	531,991	17.7	1,201,250	36.6			1,415,567	95.1	1,415,567	95.1	1,440,222	96.0	1,440,222	96.0
Cash Fund	4000045	31,785	1.1	44,800	1.4			43,000	2.9	43,000	2.9	40,000	2.7	40,000	2.7
Trust Fund	4000050	1,475,000	49.2	1,475,000	44.9			0	0.0	0	0.0	0	0.0	0	0.0
Total Funds	s	2,998,226	100.0	3,284,232	100.0			1,488,349	100.0	1,488,349	100.0	1,499,929	100.0	1,499,929	100.0
Excess App	ropriation/(Funding)	(563,182)		(29,782)				(17,982)		(42,982)		(4,907)		(29,907)	
Grand Tota	1	2,435,044		3,254,450				1,470,367		1,445,367		1,495,022		1.470.022	

Actual and/or Budgeted Number of Positions may exceed the Authorized Number due to flexibility inherent in the authorization of all positions through one salary section or as authorized by Special Language in appropriation acts.

Actual and Budgeted exceeds Authorized Appropriation (477) due to a transfer from the Natural and Cultural Resources Council Grant Fund (481) by authority of A.C.A. § 15-12-103 (3).

Appropriation / Program: 2JH - Historic Preservation-Treasury

Funding Sources: NNH Cash in Treasury (Historic Preservation)

The Arkansas Historic Preservation Program identifies, evaluates, registers, and preserves the state's historic and cultural resources, with an emphasis on preservation of historic treasures and landmarks. This appropriation is funded from cash receipts generated by the sale of photographs and from registration fees for conferences. The Agency utilizes these funds to provide one (1) Extra Help position and pay operating expenses that are not federally reimbursable.

The Agency was awarded the "Trail of Tears" grant totaling \$4,800 in FY05 and \$3,000 in FY06 by the Arkansas Humanities Council, a private non-profit organization. This grant is to provide for interpretation for six sites along the Trail of Tears. The Agency is requesting unfunded appropriation in the event that income exceeds expected levels.

The Agency Request is for Base Level, as well as an additional \$1,912 in appropriation each year for the non-federal "Trail of Tears" grant funding. This additional appropriation was approved through PEER review in FY05.

The Executive Recommendation provides for the Agency Request.

Appropriation / Program: 2JH Historic Preservation-Treasury **Funding Sources:** NNH Cash in Treasury (Historic Preservation)

Historical Data

Agency Request and Executive Recommendation

		2003-2004	2004-2005	2004-2005		2005-2006			2006-2007	
Commitment Ite	m	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Extra Help	5010001	0	0	1,000	0	0	0	0	0	0
#Extra Help		0	0	0	0	0	0	0	0	0
Personal Services Matching	5010003	0	0	77	0	0	0	0	0	0
Operating Expenses	5020002	0	4,800	2,888	2,888	4,800	4,800	2,888	4,800	4,800
Travel-Conference Fees	5050009	0	0	2,000	0	0	0	0	0	0
Professional Fees and Services	5060010	0	0	4,790	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		0	4,800	10,755	2,888	4,800	4,800	2,888	4,800	4,800
Funding Sources										
Fund Balance	4000005	0	75		75	75	75	187	0	0
Cash Fund	4000045	75	4,800		3,000	3,000	3,000	0	0	0
Total Funding		75	4,875		3,075	3,075	3,075	187	0	0
Excess Appropriation/(Funding))	(75)	(75)		(187)	1,725	1,725	2,701	4,800	4,800
Grand Total		0	4,800		2,888	4,800	4,800	2,888	4,800	4,800

The Extra Help line item appropriation is not requested for the new biennium. These positions have been relocated within the Department under authority of the flexibility inherent in the authorization of all positions through one salary section in the Department's appropriation act.

Budget exceeds Authorized Appropriation in Operating Expense due to a transfer from the Cash Fund Holding Account.

Change Level by Appropriation

Appropriation / Program: 2JH-Historic Preservation-Treasury

Funding Sources: NNH Cash in Treasury (Historic Preservation)

Agency Request

	Change Level	2005-2006	Pos	Cumulative	% of BL	2006-2007	Pos	Cumulative	% of BL
BL	Base Level	2,888	0	2,888	100.0	2,888	0	2,888	100.0
C01	Existing Program	1,912	0	4,800	166.2	1,912	0	4,800	166.2

Executive Recommendation

	Change Level	2005-2006	Pos	Cumulative	% of BL	2006-2007	Pos	Cumulative	% of BL
BL	Base Level	2,888	0	2,888	100.0	2,888	0	2,888	100.0
C01	Existing Program	1,912	0	4,800	166.2	1,912	0	4,800	166.2

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C01 This requested appropriation increase provides for a non-federal "Trail of Tears" grant from the Arkansas Humanities Council to provide for interpretations for six sites on the Trail of Tears. This request was approved through PEER review in FY05.

Appropriation / Program: 477 - Historic Pres-Real Estate Transfer Tax

Funding Sources: TGP Natural & Cultural Resources Historic Preservation

This appropriation provides for state grant funding collected from the Real Estate Transfer Tax for Historic Preservation/Main Street Programs. This appropriation is administered by the Natural and Cultural Resources Council (NCRC). Funding is provided as determined by the terms and conditions of the grant and the Department of Arkansas Heritage.

According to A.C.A. § 15-12-103 (3), "Ten percent (10%) of the net amount [of the Real Estate Transfer Tax, after deducting 3% for the Constitutional Officers Fund] shall be credited to a fund to be known as the 'Natural and Cultural Resources Historic Preservation Trust Fund', to be used by the council for providing a source of funds for the operation of the state historic preservation program and the 'Main Street' program."

Under this authority, the Natural and Cultural Resources Council is authorized to grant appropriation and funding for Base Level operations of the Historic Preservation Program from Appropriation 481.

By authority of the Department's current appropriation Act 1605 (32) of 2003, "...In the event that such grants make it necessary to employ additional personnel, the Department of Arkansas Heritage upon seeking prior review of the Arkansas Legislative Council or Joint Budget Committee and approval of the Chief Fiscal Officer of the State, may establish one or more <u>new</u> additional positions...but in no event shall the Chief Fiscal Officer of the State authorize more than seven (7) regular new positions."

This Special Language has been is place through at least four sessions, though these seven (7) positions have been authorized as regular Salaried Base Level positions for at least that period of time.

The Agency Request is for Base Level.

The Executive Recommendation is to remove six (6) of the authorized seven (7) Base Level positions authorized by Act 1605 (32) of 2003 for the Historic Preservation Program from special language to be transferred to this appropriation. These positions are to be fully funded by NCRC appropriation and funding.

Appropriation / Program: 477 Historic Pres-Real Estate Transfer Tax **Funding Sources:** 477 Cultural Resources Historic Preservation

Historical Data

Agency Request and Executive Recommendation

		2003-2004	2004-2005	2004-2005	2005-2006				2006-2007	
Commitment Iten	n [Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5	5010000	596,540	351,931	0	0	0	0	0	0	0
#Positions		16	6	6	6	6	6	6	6	6
Extra Help 5	5010001	35,040	30,092	0	0	0	0	0	0	0
#Extra Help		5	3	0	0	0	0	0	0	0
Personal Services Matching 5	5010003	162,397	95,256	0	0	0	0	0	0	0
Operating Expenses 5	5020002	183,138	270,000	0	0	0	0	0	0	0
Travel-Conference Fees 5	5050009	34,384	45,000	0	0	0	0	0	0	0
Professional Fees and Services 5	5060010	73,876	350,000	0	0	0	0	0	0	0
Grants and Aid 5	5100004	757,435	831,121	0	0	0	0	0	0	0
Capital Outlay 5	5120011	23,391	25,000	0	0	0	0	0	0	0
Total		1,866,201	1,998,400	0	0	0	0	0	0	0
Funding Sources										
Fund Balance	4000005	914,601	523,400		0	0	0	0	0	0
Trust Fund	4000050	1,475,000	1,475,000		0	0	0	0	0	0
Total Funding		2,389,601	1,998,400		0	0	0	0	0	0
Excess Appropriation/(Funding)		(523,400)	0		0	0	0	0	0	0
Grand Total		1,866,201	1,998,400		0	0	0	0	0	0

Actual and Budgeted exceeds Authorized Appropriation (477) due to a transfer from the Natural and Cultural Resources Council Grant Fund (481) by authority of A.C.A. § 15-12-103 (3).

Actual Number of Positions may exceed the Authorized Number due to flexibility inherent in the authorization of all positions through one salary section in appropriation acts.

Appropriation / Program: 491 - Historic Preservation-Fed Prog **Funding Sources:** FHP Historic Preservation Federal

This appropriation provides federal funding for the Historic Preservation Program. The Historic Preservation Program is charged with coordinating the State Historic Preservation Plan with the representatives of the Federal Government, other States, and governmental units within Arkansas, State Agencies, organizations, and individuals with regard to matters of historic preservation (A.C.A. §13-7-106).

Base Level for this appropriation includes graduated salary increases of 3% to 1.5% each year over FY05 salary levels, along with related Personal Services Matching for eighteen (18) Base Level positions. This includes a \$600 minimum increase for employees earning \$20,000 or below. Included in Personal Services Matching is a \$40 increase in the monthly contribution for State employee's health insurance for a total State match of \$320 per month.

The Change Level request totals \$44,792 in FY06 and \$45,994 in FY07. The Agency's request reflects the following changes:

Salary and Matching costs totaling \$37,744 in FY06 and \$38,761 in FY07 for one additional Management Project Analyst II position to shoulder review functions on Federal Rehabilitation Tax credit applications, and one Extraordinary Salary Increase of \$7,048 in FY06 and \$7,233 in FY07 for an Assistant Director position that has not received any salary increase other than COLA in more than ten years.

Reduction of \$50,000 each year in Professional Fees with a corresponding increase of \$50,000 each year in Operating Expense reflects an expenditure classification change related to Technical Services.

The Executive Recommendation provides for the Agency Request, with a Base Level reduction of \$25,000 in Travel.

Appropriation / Program: 491 Historic Preservation-Fed Prog

Funding Sources: FHP Historic Preservation Federal

Historical Data

Agency Request and Executive Recommendation

		2003-2004	2004-2005	2004-2005	2005-2006				2006-2007	
Commitment Ite	m	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	272,497	533,703	617,829	667,513	701,983	701,983	687,252	722,734	722,734
#Positions		8	18	18	18	19	19	18	19	19
Extra Help	5010001	8,422	18,672	18,672	18,672	18,672	18,672	18,672	18,672	18,672
#Extra Help		2	5	5	5	5	5	5	5	5
Personal Services Matching	5010003	74,309	155,335	167,977	196,050	206,372	206,372	199,764	210,276	210,276
Operating Expenses	5020002	75,731	155,394	155,394	155,394	205,394	205,394	155,394	205,394	205,394
Travel-Conference Fees	5050009	4,311	30,046	30,046	30,046	30,046	5,046	30,046	30,046	5,046
Professional Fees and Services	5060010	0	94,000	94,000	94,000	44,000	44,000	94,000	44,000	44,000
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Grants and Aid	5100004	96,721	209,100	209,100	209,100	209,100	209,100	209,100	209,100	209,100
Capital Outlay	5120011	0	5,000	5,000	0	0	0	0	0	0
Total		531,991	1,201,250	1,298,018	1,370,775	1,415,567	1,390,567	1,394,228	1,440,222	1,415,222
Funding Sources	1									
Federal Revenue	4000020	531,991	1,201,250		1,370,775	1,415,567	1,415,567	1,394,228	1,440,222	1,440,222
Total Funding		531,991	1,201,250		1,370,775	1,415,567	1,415,567	1,394,228	1,440,222	1,440,222
Excess Appropriation/(Funding))	0	0		0	0	(25,000)	0	0	(25,000)
Grand Total		531,991	1,201,250		1,370,775	1,415,567	1,390,567	1,394,228	1,440,222	1,415,222

Change Level by Appropriation

Appropriation / Program: 491-Historic Preservation-Fed Prog **Funding Sources:** FHP Historic Preservation Federal

Agency Request

	Change Level	2005-2006	Pos	Cumulative	% of BL	2006-2007	Pos	Cumulative	% of BL
BL	Base Level	1,370,775	18	1,370,775	100.0	1,394,228	18	1,394,228	100.0
C01	Existing Program	87,744	1	1,458,519	106.4	88,761	1	1,482,989	106.3
C03	Discontinue Program	(50,000)	0	1,408,519	102.7	(50,000)	0	1,432,989	102.7
C15	Ex Salary Increase	7,048	0	1,415,567	103.2	7,233	0	1,440,222	103.3

Executive Recommendation

	Change Level	2005-2006	Pos	Cumulative	% of BL	2006-2007	Pos	Cumulative	% of BL
BL	Base Level	1,370,775	18	1,370,775	100.0	1,394,228	18	1,394,228	100.0
C01	Existing Program	87,744	1	1,458,519	106.4	88,761	1	1,482,989	106.3
C03	Discontinue Program	(50,000)	0	1,408,519	102.7	(50,000)	0	1,432,989	102.7
C15	Ex Salary Increase	7,048	0	1,415,567	103.2	7,233	0	1,440,222	103.3
C19	Executive Changes	(25,000)	0	1,390,567	101.4	(25,000)	0	1,415,222	101.5

Just	Justification							
	The first portion of the change level is to request a decrease in Professional Fees with a corresponding increase in Technical Services (Operating Expense) due to an administrative expenditure reclassification. The second portion provides for one Management Project Analyst II position to conduct review functions on Federal Rehabilitation Tax credit applications.							
C03	This change level request provides a decrease in Professional Fees as discussed in C01.							
	One (1) Extraordinary Salary Increase for an Assistant Director position that has not received any salary increase other than COLA in more than ten years.							
C19	The Executive Recommendation provides for a Base Level reduction of \$25,000 in Travel.							

Appropriation / Program: 960 - Main Street Cash in Treasury

Funding Sources: NNH Cash in Treasury (Natural and Cultural Resources Historic

Preservation)

The Main Street Program was established in 2001 and works with local communities to revitalize downtown commercial areas throughout Arkansas. The Agency utilizes this appropriation to provide professional services and educational training meetings to support Main Street activities. Funding is derived from cash funds generated by technical assistant receipts collected for the Historic Preservation Main Street Program.

The Agency Request is for Base Level. A decrease of \$30,000 each year in Professional Fees with a corresponding increase of \$30,000 each year in Operating Expense reflects an administrative expenditure classification change related to Technical Services.

The Executive Recommendation provides for the Agency Request.

Appropriation / Program: 960 Main Street Cash in Treasury

Funding Sources: NNH Cash in Treasury (Natural and Cultural Resources Historic Preservation)

Historical Data

Agency Request and Executive Recommendation

		2003-2004	2004-2005	2004-2005		2005-2006		2006-2007		
Commitment Item		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses	5020002	9,674	10,000	10,000	10,000	40,000	40,000	10,000	40,000	40,000
Travel-Conference Fees	5050009	0	0	0	0	0	0	0	0	0
Professional Fees and Services	5060010	27,178	40,000	40,000	40,000	10,000	10,000	40,000	10,000	10,000
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		36,852	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Funding Sources	}									
Fund Balance	4000005	44,849	39,707		29,707	29,707	29,707	19,707	19,707	19,707
Cash Fund	4000045	31,710	40,000		40,000	40,000	40,000	40,000	40,000	40,000
Total Funding		76,559	79,707		69,707	69,707	69,707	59,707	59,707	59,707
Excess Appropriation/(Funding))	(39,707)	(29,707)		(19,707)	(19,707)	(19,707)	(9,707)	(9,707)	(9,707)
Grand Total	·	36,852	50,000		50,000	50,000	50,000	50,000	50,000	50,000

Change Level by Appropriation

Appropriation / Program: 960-Main Street Cash in Treasury

Funding Sources: NNH Cash in Treasury (Natural and Cultural Resources Historic

Preservation)

Agency Request

Change Level		2005-2006	Pos	Cumulative	% of BL	2006-2007	Pos	Cumulative	% of BL
BL	Base Level	50,000	0	50,000	100.0	50,000	0	50,000	100.0
C01	Existing Program	40,000	0	90,000	180.0	40,000	0	90,000	180.0
C03	Discontinue Program	(40,000)	0	50,000	100.0	(40,000)	0	50,000	100.0

Executive Recommendation

Change Level		2005-2006	Pos	Cumulative	% of BL	2006-2007	Pos	Cumulative	% of BL
BL	Base Level	50,000	0	50,000	100.0	50,000	0	50,000	100.0
C01	Existing Program	40,000	0	90,000	180.0	40,000	0	90,000	180.0
C03	Discontinue Program	(40,000)	0	50,000	100.0	(40,000)	0	50,000	100.0

Just	Justification						
	This change level is to request a decrease in Professional Fees with a corresponding increase in operating expense for an expenditure						
	classification change related to Technical Services.						
C03	This change level request provides a decrease in Professional Fees as discussed in C01.						