Stricken language would be deleted from and underlined language would be added to present law.

Act 801 of the Regular Session

State of Arkansas
91st General Assembly
Regular Session, 2017

By: Representative Cozart
By: Senator J. English

For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING THE ADVISORY COMMITTEE ON PUBLIC SCHOOL ACADEMIC FACILITIES; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING THE ADVISORY COMMITTEE ON PUBLIC SCHOOL ACADEMIC FACILITIES; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 6-21-113(a), concerning the Advisory Committee on Public School Academic Facilities, is amended to read as follows:
(a) To assist the Division of Public School Academic Facilities and Transportation, there is established the Advisory Committee on Public School Academic Facilities to be composed of the following members, who must be willing to devote adequate time to the work of the Advisory Committee on Public School Academic Facilities committee and who reflect the demographics of the state:
(1) The Director of the Division of Public School Academic Facilities and Transportation or the director's designee, who shall also serve as secretary to the Advisory Committee on Public School Academic Facilities committee;
(2) Two (2) persons One (1) person who are is a licensed
building contractors contractor experienced in public school construction
selected from a list of no fewer than six (6) three (3) names submitted by
the Arkansas Chapter of the Associated General Contractors of America;

(3) Two (2) persons One (1) person who are is a licensed
architects architect experienced in public school design submitted by the
Arkansas Chapter of the American Institute of Architects;

(4) One (1) person who is a licensed or registered mechanical
engineer experienced in public school mechanical and plumbing systems design
selected from a list of no fewer than three (3) names submitted by the
Arkansas Society of Professional Engineers;

(5) One (1) person who is a licensed or registered electrical
engineer experienced in public school electrical systems design selected from
a list of no fewer than three (3) names submitted by the Arkansas Society of
Professional Engineers;

(6) One (1) person who is a licensed or registered civil
engineer experienced in public school civil engineering design and
construction selected from a list of no fewer than three (3) names submitted
by the Arkansas Society of Professional Engineers;

(7) One (1) person Two (2) persons selected by the Commission
for Arkansas Public School Academic Facilities and Transportation, one (1) of
whom is knowledgeable and holds certification in the field of educational
technology applications and strategies;

(8) Two (2) persons selected from a list of six (6) names
submitted by the Arkansas Association of Educational Administrators from its
membership;

(9) One (1) person selected from a list of three (3) names
submitted by the Arkansas Education Association from its membership;

(10) One (1) person Two (2) persons selected from a list of
three (3) six (6) names submitted by the Arkansas School Boards Association
from its membership; and

(11) Two (2) persons selected from a list of six (6) names
submitted by the Arkansas Rural Education Association from its membership;

(12) One (1) person selected from a list of three (3) names
submitted by the Arkansas Public School Resource Center from its membership;

and

(13) Three (3) persons, one (1) from each of the professions of
construction, architecture, and education, selected by the commission to
serve as ex-officio members of the Advisory Committee on Public School
Academic Facilities committee:

(A) From the membership of the Joint Committee on
Educational Facilities created by Act 1181 of 2003; or

(B) Based on prior service on the Advisory Committee
on Public School Academic Facilities committee.

SECTION 2. Arkansas Code § 6-21-113, concerning the Advisory Committee
on Public School Academic Facilities, is amended to add additional
subsections to read as follows:

(d) All members of the committee shall be appointed by the Commission
for Public School Academic Facilities and Transportation.

(e) The committee shall meet at least one (1) time every year.

(f) The committee shall study and review the current and long-term
viability of the Academic Facilities Partnership Program.

(g) The committee may study and review other programs, laws, and
administrative rules pertaining to school facilities, including without
limitation the following:

(1) Design and construction standards contained in the Arkansas
Public School Academic Facility Manual;

(2) Public school district participation in and compliance with
the Academic Facilities Master Plan Program;

(3) The efficacy of establishing, on a ten-year cycle, a
statewide public school assessment survey to assess the condition of all
elementary and secondary school facilities; and

(4) Public school inspection reports compiled in accordance with
§ 6-21-813.

SECTION 3. Arkansas Code § 6-21-114(d), concerning the duties of the
Commission for Arkansas Public School Facilities and Transportation, is
amended to add an additional subdivision to read as follows:

(3) Appoint all members of the Advisory Committee on Public
School Academic Facilities.

SECTION 4. Arkansas Code § 10-3-2202(a)(2), concerning the duties of
the Academic Facilities Oversight Committee, is repealed.

(2) Appoint members of the Advisory Committee on Public School Academic Facilities established to assist the Division of Public School Academic Facilities and Transportation;

SECTION 5. Acts 2013, No. 1422, § 2, concerning the appointment of members to the Advisory Committee on Public School Academic Facilities, is repealed.

SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY. By August 30, 2013, the Commission for Arkansas Public School Academic Facilities and Transportation shall appoint the new members of the Advisory Committee on Public School Academic Facilities added under this act. At the first meeting of the committee that occurs on or after August 30, 2013, all members shall draw for new terms of either a term to expire on April 1, 2017, or a term to expire on April 1, 2021. A member shall not serve more than eight (8) years on the committee.

SECTION 6. TEMPORARY LANGUAGE. DO NOT CODIFY. By July 31, 2018, the Advisory Committee on Public School Academic Facilities shall conduct a comprehensive review and provide a report to the Commission for Academic Facilities and Transportation that will include without limitation an analysis of the following:

(1) Current and long-term viability of the Academic Facilities Partnership Program;

(2) Efficacy of the academic facilities wealth index;

(3) Project ranking and prioritization process of the Academic Facilities Partnership Program;

(4) Academic Facilities Master Plan Program and Academic Facilities Partnership Program funding cycles;

(5) Enrollment projections;

(6) Cost factors;

(7) Rules governing academic facilities programs; and

(8) Degree of public school district compliance with required statewide computerized maintenance management systems usage.

SECTION 7. EMERGENCY CLAUSE. It is found and determined by the
General Assembly of the State of Arkansas that the Division of Public School Academic Facilities and Transportation needs an advisory committee with the necessary expertise in order to effectively carry out its mission; that clarity is needed in the law as to which entity has appointment authority over new members of the Advisory Committee on Public School Academic Facilities; that the State of Arkansas is in need of a comprehensive review of academic facilities programs to ensure that the most efficient and effective programs are in place; and that this act is immediately necessary in order to constitute an advisory committee to immediately begin the work required in this act. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;
(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Cozart

APPROVED: 04/01/2017