

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H3/15/17

A Bill

HOUSE BILL 1929

5 By: Representative Cozart
6 By: Senator J. English
7

For An Act To Be Entitled

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

16 TO AMEND PROVISIONS OF THE ARKANSAS CODE
17 CONCERNING THE ADVISORY COMMITTEE ON
18 *PUBLIC SCHOOL ACADEMIC FACILITIES; AND TO*
19 *DECLARE AN EMERGENCY.*
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 6-21-113(a), concerning the Advisory
25 Committee on Public School Academic Facilities, is amended to read as follows:

26 (a) To assist the Division of Public School Academic Facilities and
27 Transportation, there is established the Advisory Committee on Public School
28 Academic Facilities to be composed of the following members, who must be
29 willing to devote adequate time to the work of the ~~Advisory Committee on~~
30 ~~Public School Academic Facilities~~ committee and who reflect the demographics
31 of the state:

32 (1) The Director of the Division of Public School Academic
33 Facilities and Transportation or the director's designee, who shall also
34 serve as secretary to the ~~Advisory Committee on Public School Academic~~
35 ~~Facilities~~ committee;

36 (2) ~~Two (2) persons~~ One (1) person who ~~are~~ is a licensed



1 building ~~contractors~~ contractor experienced in public school construction
2 selected from a list of no fewer than ~~six (6)~~ three (3) names submitted by
3 the Arkansas Chapter of the Associated General Contractors of America;

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

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

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

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

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

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

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

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

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

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

36 (13) Three (3) persons, one (1) from each of the professions of

1 construction, architecture, and education, selected by the commission to
2 serve as ex-officio members of the ~~Advisory Committee on Public School~~
3 ~~Academic Facilities committee~~;

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

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

8
9 SECTION 2. Arkansas Code § 6-21-113, concerning the Advisory Committee
10 on Public School Academic Facilities, is amended to add additional
11 subsections to read as follows:

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

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

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

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

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

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

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

27 (4) Public school inspection reports compiled in accordance with
28 § 6-21-813.

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

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

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36 SECTION 4. Arkansas Code § 10-3-2202(a)(2), concerning the duties of

1 the Academic Facilities Oversight Committee, is repealed.

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

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

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

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

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

25 (2) Efficacy of the academic facilities wealth index;

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

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

30 (5) Enrollment projections;

31 (6) Cost factors;

32 (7) Rules governing academic facilities programs; and

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

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36 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the

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

13 (1) The date of its approval by the Governor;
14 (2) If the bill is neither approved nor vetoed by the Governor,
15 the expiration of the period of time during which the Governor may veto the
16 bill; or

17 (3) If the bill is vetoed by the Governor and the veto is
18 overridden, the date the last house overrides the veto.

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20 /s/Cozart

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23 **APPROVED: 04/01/2017**
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