

**ARKANSAS SENATE**  
87th General Assembly - Regular Session, 2009  
**Amendment Form**

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**Subtitle of Senate Bill No. 861**

"TO AMEND VARIOUS PROVISIONS OF ARKANSAS CODE TITLE 6 CONCERNING  
ACADEMIC FACILITIES AND TRANSPORTATION."

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**Amendment No. 1 to Senate Bill No. 861.**

Amend Senate Bill No. 861 as originally introduced:

Page 2, line 9, delete "Division of" and substitute "Commission for Arkansas"

AND

Page 3, line 3 delete "registered nurse" and substitute "~~registered nurse~~  
advanced practice nurse"

AND

Page 3, delete line 32 and substitute the following language:  
"physician or advanced practice nurse within the previous two (2) years; and  
~~that he or she has satisfactorily~~"

AND

Page 4, line 19 delete "Division of" and substitute "Commission for Arkansas"

AND

Page 5, delete lines 22 through 31 and substitute the following language:  
"(iii) A leased facility shall not be considered an  
academic facility for the purpose of this subchapter."

AND

Page 6, line 2 delete "schematic design" and substitute "drawing"

AND

Page 6, line 33 add the following language:  
"(4) If a construction project has not begun as required under  
subdivision (d)(3) of this section due to the failure of a school district to



raise the school district's share of the project cost due to a failed millage election prior to June 1, 2009, the division may exercise its authority under § 6-21-811."

AND

Page 7, line 9 delete "division" and substitute "Commission for Arkansas Public School Academic Facilities and Transportation"

AND

Page 7, delete lines 13 through 15 and substitute the following language:

"(2) Projects not meeting the compliance dates may be cancelled by the commission and the state's financial participation, in whole or in part, may be declared void after the school district has been provided:

(A) A notice of the failure to meet compliance dates; and

(B) An opportunity for a hearing before the commission."

AND

Page 7, delete lines 26 through 36

AND

Page 8, delete lines 1 and 2

AND

Page 8, delete lines 4 through 12 and substitute the following language:

"SECTION 15. Arkansas Code § 6-21-114(e), concerning the Commission for Arkansas Public School Academic Facilities and Transportation, is amended to add an additional subdivision to read as follows:

(5) Receive and administer federal funds made available to the state for the purpose of assisting local school districts in providing elementary and secondary school facilities for:

(A) General education programs;

(B) Vocational programs; and

(C) Adult education programs."

AND

Page 8, line 28 add the following new section

"SECTION 17. Arkansas Code Title 6, Chapter 21, Subchapter 1 is amended to add an additional section to read as follows:

6-21-117. Leased academic facilities.

An academic facility leased by a school district shall:

(1) Not be entitled to facilities program funding under § 6-20-2502(2)(B);

(2) Conform to the school facility standards defined in the Arkansas School Facility Manual;

(3) Be inspected by the Division of Public School Academic

Facilities and Transportation to ensure that the facility complies with required academic facility standards prior to the execution of a lease or a renewal of an existing lease;

(4) Be eligible for a waiver commensurate with the Arkansas School Facility Manual granted by the Commission for Arkansas Public School Academic Facilities and Transportation; and

(5) Be exempt from the academic facility standards for the duration of the replacement of an academic facility that is lost due to a catastrophic event if the leased academic facility is used solely for the purpose of providing an academic facility."

AND

Page 9, delete lines 2 through 11 and substitute the following language:

"(E) A leased facility shall not be considered an academic facility for the purpose of this subchapter."

AND

Page 9, line 32 delete "will" and substitute "shall"

AND

Page 9, line 36 delete and substitute the following language:

"(b) The cost associated with additional maintenance modules by a school district, shall be at the expense of the school district and may be within the nine percent (9%) minimum maintenance expenditures under § 6-21-808(d)(1)(A);"

AND

Page 10, delete lines 1 and 2

AND

Page 10, delete lines 4 through 31 and substitute the following language:

"SECTION 22. Arkansas Code § 6-21-811(a)(1)(E) concerning the Academic Facilities Distress Program is amended to read as follows:

(E) Material failure to comply with state law governing purchasing ~~or~~ , bid requirements, or school construction related laws or rules in relation to academic facilities projects;"

AND

Page 10, delete lines 33 through 36

AND

Page 11, delete lines 1 through 5

AND

Appropriately renumber the sections of the bill

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Broadway

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Secretary