

Hall of the House of Representatives

89th General Assembly - Regular Session, 2013

Amendment Form

Subtitle of House Bill No. 1251

TO CREATE THE PARTNERSHIP FOR PUBLIC FACILITIES AND INFRASTRUCTURE ACT; AND TO
REGULATE PUBLIC-PRIVATE PARTNERSHIPS FOR PUBLIC FACILITIES AND INFRASTRUCTURE.

Amendment No. 1 to House Bill No. 1251

Amend House Bill No. 1251 as originally introduced:

Add Representatives McLean, Baltz, E. Armstrong, Hawthorne, D. Whitaker,
McGill, Baine as cosponsors of the bill

AND

Page 2, line 27, delete "county, municipality," and substitute "county or
municipality"

AND

Page 2, line 28, delete "or school district"

AND

Page 3, line 19, delete "county, institution of higher education, and" and
substitute "county, and institution of higher education;"

AND

Page 3, delete line 20

AND

Page 3, delete lines 21 through 23, and substitute the following:

"(9) "Qualifying project" means:

(A) A ferry, mass transit facility, vehicle parking
facility, port facility, power generation facility, fuel supply facility, oil
or gas pipeline, water supply facility, waste treatment facility, hospital,
school, medical or nursing care facility, recreational facility, public
building, or other similar facility currently available or to be made
available to a public entity for public use, including without limitation a
structure, parking area, appurtenance, and other property required to operate



the structure or facility and any technology infrastructure installed in the structure or facility that is essential to the project's purpose; or

(B) A necessary or desirable improvement to unimproved real property owned by a public entity;"

AND

Page 3, delete line 31, and substitute the following:

"pursuant to a comprehensive agreement.

22-10-104. Construction – Powers supplemental.

(a) This chapter shall be liberally construed to effectuate its purpose.

(b)(1) The powers and procedures established under this chapter pertaining to the procurement of public and private facilities and infrastructure are supplemental to all other laws concerning the powers and procedures that a responsible public entity has with respect to entering into an agreement for or procuring public and private facilities and infrastructure.

(2) To the extent of any conflict, this chapter does not impair, repeal, modify, or affect:

(A) Any other existing law concerning the procurement of public and private facilities and infrastructure, including without limitation Title 6 of this Code; and

(B) Section 22-9-301 et seq., if otherwise applicable.

22-10-105. Applicability.

This chapter does not apply to a telecommunications, cable television, video service, or broadband infrastructure other than technology installed as part of a qualifying project that is essential to the qualifying project unless authorized under the Telecommunications Regulatory Reform Act of 1997, § 23-17-401 et seq."

AND

Page 9, line 25, delete "19-11-807" and substitute "19-4-1415, 19-11-807"

AND

Page 17, delete line 23, and substitute the following:

"partnerships under this subchapter;

(6) Work in consultation with the Joint Adequacy Evaluation Oversight Subcommittee of the House Committee on Education and the Senate Committee on Education or the Commission for Arkansas Public School Academic Facilities and Transportation to consider, evaluate, and discuss the application of this chapter to public school districts; and"

AND

Page 17, line 24, delete "(6)" and substitute "(7)"

The Amendment was read _____
By: Representative Sabin
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Chief Clerk