

Hall of the House of Representatives
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of House Bill No. 2508

"ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES FUNDING ACT."

Amendment No. 1 to House Bill No. 2508.

Amend House Bill No. 2508 as originally introduced:

Page 1, line 35, delete "the act derived from Senate Bill 2 of 2005" and substitute "Act 660 of 2005"

AND

Page 2, delete lines 15 through 19, and substitute the following:

"(2) "Academic facilities wealth index" means the value of one (1) mill multiplied by the total assessed valuation of taxable real, personal, and utility property in the school district as shown by the county assessment for the most recent year with the result divided by the greater of the prior year average daily membership of the school district or the prior three-year average of the school district's average daily membership;"

AND

Page 5, delete lines 12 through 36, and substitute the following:

"6-20-2504. Pre-January 1, 2005, academic facilities assistance.

(a) For purposes of this section, "statewide average daily membership" means the sum of the prior year average daily memberships for all school districts in the state.

(b)(1) Beginning with the 2005-2006 school year, the Department of Education shall provide pre-January 1, 2005, academic facilities assistance to school districts for the purpose of increasing the amount of revenue available for academic facilities, academic equipment, and related projects.

(2) In order to ascertain the amount of state financial assistance to be distributed to each school district under this section, the total amount of moneys distributed statewide under the Supplemental School District Funding Act of 2003, § 6-20-2401 et seq. during fiscal year 2005 shall be divided by the prior year statewide average daily membership with the result multiplied by the school district's prior year average daily membership.

(3) A school district shall use state financial assistance under this section only for maintenance, repair, and renovation of an academic



facility, new construction of an academic facility, the purchase of academic equipment, debt service, or other appropriate purposes.

(4) The department shall distribute state financial assistance under this section on a schedule in accordance with rules promulgated by the State Board of Education.

(5) The department shall phase-out pre-January 1, 2005, academic facilities assistance over a fifteen-year period by reducing the amount of state financial assistance received by a school district by one-fifteenth (1/15) in each year of the fifteen-year period with the savings distributed through the Educational Facilities Partnership Fund Account in accordance with rules promulgated by the Commission for Public School Academic Facilities and Transportation.

(c)(1) If the amount of a school district's state financial assistance under this section is less than the amount of state financial assistance the school district received under the Supplemental School District Funding Act of 2003, § 6-20-2401 et seq. for the 2004-2005 school year, then the state shall provide the school district with a supplemental payment so that the school district receives the same amount of state financial assistance as it received in the 2004-2005 school year, except as provided in subdivision (c)(2) of this section.

(2) The department shall eliminate supplemental payments under subdivision (c)(1) over a five-year period by reducing the amount of the supplemental payment by twenty percent (20%) in each year of the five-year period with the savings distributed through the Educational Facilities Partnership Fund Account in accordance with rules promulgated by the commission.

(d) If any provision of this section or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions of this act which can be given effect without this section or the application thereof, and to this end the provisions of this section are declared to be severable from the remainder of this act."

AND

Page 6, delete lines 1 through 36

AND

Page 7, delete lines 1 through 4

AND

Page 9, delete line 20, and substitute the following:

"emergency assistance received by or payable to the school district.

6-20-2506. Academic Equipment Program.

(a) There is established the Academic Equipment Program under which the Division of Public School Academic Facilities and Transportation shall provide school districts with state financial participation to support the purchase of eligible academic equipment based on the school district's academic facilities wealth index.

(b) A school district may apply for state financial participation to

support the purchase of academic equipment if:

(1) The school district's application is received by the division no later than July 1, 2005;

(2) The need for the academic equipment was in existence on January 1, 2005; and

(3) The academic equipment supports an adequate education as described in § 6-20-2302.

(c) As part of its application for state financial participation under this section, a school district shall provide the division with evidence of:

(1) The need for the academic equipment;

(2) The estimated cost of the academic equipment; and

(3) Any additional information determined by the division to be necessary to evaluate the school district's application.

(d) The division shall evaluate a school district's application and notify the school district of the division's decision on the application and, if applicable, the amount of state financial participation. The division shall base its decision on several factors, including, without limitation:

(1) The nature of and need for the academic equipment;

(2) Consistency with current academic equipment standards and sound educational practices;

(3) The academic facilities wealth index of the school district;
and

(4) The prudent and resourceful expenditure of state funds with regard to public school academic facilities and equipment.

(e)(1) If a school district qualifies for state financial participation under this section, the division shall certify the amount of state financial participation to the Commission on Public School Academic Facilities and Transportation for oversight purposes. The commission shall certify the amount to the Department of Education for payment.

(2) For tracking purposes, the school district shall account for the funds received as state financial participation under this section as restricted funds and shall account for the funds in accordance with provisions of law, including, without limitation, the Arkansas Educational Financial Accounting and Reporting Act of 2004, § 6-20-2201 et seq. and rules established by the State Board of Education and the commission.

(f) Every effort shall be made to conform the purchase of academic equipment to current academic equipment standards and sound educational practices, unless in the judgment of the division it is impractical to conform the purchase to current standards."

AND

Page 9, line 22, delete "6-20-2506." and substitute "6-20-2507."

AND

Page 12, line 7, delete "6-20-2507." and substitute "6-20-2508."

AND

Page 16, line 9, delete "6-20-2508." and substitute "6-20-2509."

AND

Page 17, line 30, delete "6-20-2509." and substitute "6-20-2510."

AND

Page 18, line 24, delete "6-20-2510." and substitute "6-20-2511."

AND

Page 19, line 12, delete "6-20-2511." and substitute "6-20-2512."

AND

Page 19, delete line 27, and substitute the following:
"and funding before implementing the program.

6-20-2513. Regulatory Authority.

The Commission on Public School Academic Facilities and Transportation shall promulgate rules necessary to administer this subchapter, which shall promote the intent and purposes of this subchapter and assure the prudent and resourceful expenditure of state funds with regard to public school academic facilities throughout the state."

AND

Page 19, line 29, delete "6-20-2512." and substitute "6-20-2514."

AND

Page 26, delete lines 30 and 31, and substitute "shall become effective on:"

The Amendment was read _____
By: Representative Mahony
SFI/SFI - 03-22-2005 14:24
SFI277 _____
Chief Clerk