

State of Arkansas
91st General Assembly
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As Engrossed: H3/15/17
A Bill

HOUSE BILL 1929

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 ~~who~~ 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 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