

Bill No. CS for SB 1848

Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	
5	<hr/>		
6			
7			
8			
9			
10	<hr/>		
11	Senators Clary and Diaz-Balart moved the following amendment:		
12			
13	Senate Amendment (with title amendment)		
14	On page 5, line 29, through page 19, line 3, delete		
15	those lines		
16			
17	and insert:		
18	(5) EFFORT INDEX GRANTS.--It is the purpose of the		
19	Legislature to create s. 235.186, in order to provide grants		
20	from state funds to assist school districts that have provided		
21	a specified level of local effort funding and still have a		
22	need to build new student stations and associated core		
23	facility space to meet student membership requirements in K-12		
24	programs. Districts must utilize state funds in accordance		
25	with statutory requirements and obligate from among all		
26	eligible sources an amount that is equivalent to the potential		
27	available for construction from PECO funds, capital outlay and		
28	debt service bond proceeds, Classrooms First funds, and the		
29	one-half cent local option school sales surtax. Effort index		
30	grants will be based upon recommendation of the SMART Schools		
31	Clearinghouse.		

Bill No. CS for SB 1848

Amendment No. ____

1 (6) SCHOOL INFRASTRUCTURE THRIFT (SIT) PROGRAM
2 AWARDS.--It is the purpose of the Legislature to convert the
3 SIT Program established in ss. 235.2155 and 235.216 to an
4 incentive award program to encourage functional, frugal
5 facilities and practices. ~~Districts that find ways to reduce~~
6 ~~the cost of, or eliminate the need for, constructing~~
7 ~~educational facilities can receive SIT Program awards equal to~~
8 ~~50 percent of the amount saved. In addition, districts may~~
9 ~~submit new schools to receive a SIT Program SMART school of~~
10 ~~the year recognition award. SIT Program awards will be based~~
11 ~~upon recommendation of the SMART Schools Clearinghouse and may~~
12 ~~be used for any authorized capital expenditure.~~

13 Section 5. Section 235.186, Florida Statutes, 1998
14 Supplement, is amended to read:

15 235.186 Effort index grants for school district
16 facilities ~~work program projects.--~~

17 (1) The Legislature hereby allocates for effort index
18 grants the sum of \$300 million from the funds appropriated
19 from the Educational Enhancement Trust Fund by section 46 of
20 chapter 97-384, Laws of Florida, contingent upon the sale of
21 school capital outlay bonds. From these funds, the
22 Commissioner of Education shall allocate to the four school
23 districts deemed eligible for an effort index grant by the
24 SMART Schools Clearinghouse the sums of \$7,442,890 to the Clay
25 County School District, \$62,755,920 to the Dade County School
26 District, \$1,628,590 to the Hendry County School District, and
27 \$414,950 to the Madison County School District. The remaining
28 funds shall be allocated among the remaining district school
29 boards that qualify for an effort index grant by meeting the
30 local capital outlay effort criteria in paragraph (a) or
31 paragraph (b).

Bill No. CS for SB 1848

Amendment No.

1 (a) Between July 1, 1995, and June 30, 1999, the
2 school district received direct proceeds from the
3 one-half-cent sales surtax for public school capital outlay
4 authorized by s. 212.055(7) or from the local government
5 infrastructure sales surtax authorized by s. 212.055(2).

6 (b) The school district met two of the following
7 criteria:

8 1. Levied the full 2 mills of nonvoted discretionary
9 capital outlay authorized by s. 236.25(2) during 1995-1996,
10 1996-1997, 1997-1998, and 1998-1999.

11 2. Levied a cumulative voted millage for capital
12 outlay and debt service equal to 2.5 mills for fiscal years
13 1995 through 1999.

14 3. Received proceeds of school impact fees greater
15 than \$500 per dwelling unit which were in effect on July 1,
16 1998.

17 4. Received direct proceeds from either the
18 one-half-cent sales surtax for public school capital outlay
19 authorized by s. 212.055(7) or from the local government
20 infrastructure sales surtax authorized by s. 212.055(2).

21 (2) It is the intent of the Legislature that this
22 program be administered as nearly as is practicable in the
23 same manner as the capital outlay program authorized under s.
24 9(d), Art. XII of the State Constitution. Each district school
25 board's share of the appropriation for the effort index grants
26 must be calculated according to the following formula using
27 the same basis as the Classrooms First allocation formula, but
28 the share of each district shall, at a minimum, be at least
29 equal to the amount required for all payments of the district
30 relating to bonds issued by the state on its behalf:

31 (a) Twenty-five percent of the appropriation shall be

Bill No. CS for SB 1848

Amendment No. ____

1 prorated to the districts based on each district's percentage
2 of base capital outlay full-time-equivalent membership; and 65
3 percent shall be based on each district's percentage of growth
4 capital outlay full-time-equivalent membership as specified
5 for the allocation of funds from the Public Education Capital
6 Outlay and Debt Service Trust Fund by s. 235.435(3).

7 (b) Ten percent of the appropriation must be allocated
8 among district school boards according to the allocation
9 formula in s. 235.435(1)(a).

10 (2) A district school board shall expend the funds
11 received under this section only to:

12 (a) Construct, renovate, remodel, repair, or maintain
13 educational facilities; or

14 (b) Pay debt service on bonds issued under this
15 section, the proceeds of which must be expended for new
16 construction, remodeling, renovation, and major repairs. Bond
17 proceeds shall be expended first for providing permanent
18 classroom facilities and related auxiliary facilities. Bond
19 proceeds may not be expended for any other facilities until
20 all unmet needs for permanent classrooms and auxiliary
21 facilities as defined in s. 235.011 have been satisfied.

22
23 However, if more than 9 percent of a district's total square
24 feet is more than 50 years old, the district must spend at
25 least 25 percent of its allocation on the renovation, major
26 repair, or remodeling of existing schools, except that
27 districts having fewer than 10,000 full-time equivalent
28 students are exempt from this requirement.

29 (3) Each district school board that pledges moneys
30 under paragraph (2)(b) shall notify the Department of
31 Education of its election at a time set by the department;

Bill No. CS for SB 1848

Amendment No. ____

1 however, the initial notification shall be by July 1, 1999.
2 The Department of Education shall review the proposal of each
3 district school board for compliance with this section and
4 shall forward all approved proposals to the Division of Bond
5 Finance with a request to issue bonds on behalf of the
6 approved school districts.

7 (4) A district school board that chooses to pledge
8 allocations from the Classrooms First Program for the issuance
9 of bonds must encumber those bond proceeds before pledging
10 funds for the payment of debt service on bonds issued pursuant
11 to this section.

12 (5) A school district may receive a distribution for
13 use pursuant to paragraph (2)(a) only if the district school
14 board certifies to the Commissioner of Education that the
15 district has no unmet need for permanent classroom facilities
16 in its 5-year capital outlay work plan. If the work plan
17 contains such unmet needs, the district must use its
18 distribution for the payment of bonds under paragraph (2)(b).
19 If the district does not require its full bonded distribution
20 to eliminate such unmet needs, it may bond only that portion
21 of its allocation necessary to meet the needs.

22 ~~(1) PROJECT REVIEW/ ELIGIBILITY.--Annually, the SMART~~
23 ~~Schools Clearinghouse established pursuant to s. 235.217 shall~~
24 ~~review the adopted district facilities work program of each~~
25 ~~district to ensure compliance with the provisions of s.~~
26 ~~235.185 and to determine the district's eligibility to receive~~
27 ~~an effort index grant for local school facilities projects~~
28 ~~pursuant to this section. Projects identified in a district~~
29 ~~facilities work program which are eligible to receive an~~
30 ~~effort index grant shall be limited to those projects which~~
31 ~~provide new student stations and associated core facility~~

Bill No. CS for SB 1848

Amendment No. ____

1 ~~space to meet student membership requirements in K-12~~
2 ~~programs. Effort index grants shall not be provided to replace~~
3 ~~relocatable classrooms which meet standards.~~

4 ~~(2) COMPUTATION OF REQUIRED LOCAL EFFORT AMOUNT FOR~~
5 ~~DISTRICT EFFORT INDEX.-- Prior to a school district being~~
6 ~~eligible to receive an effort index grant pursuant to this~~
7 ~~section, the clearinghouse shall certify that the district~~
8 ~~agreed to expend, from among all eligible sources, an amount~~
9 ~~that is equivalent to the amount of funds projected to be~~
10 ~~available during the period covered by the district facilities~~
11 ~~work program from the following four sources for eligible~~
12 ~~basic capital outlay expenditures described in subsection (4):~~

13 ~~(a) Public Education Capital Outlay and Debt Service~~
14 ~~Trust Fund moneys for construction pursuant to s. 235.42.~~

15 ~~(b) The maximum potential bond proceeds available from~~
16 ~~the School District and Community College District Capital~~
17 ~~Outlay and Debt Service Trust Fund.~~

18 ~~(c) Proceeds from the Classrooms First Program~~
19 ~~authorized in s. 235.187.~~

20 ~~(d) One-half cent local option school sales surtax,~~
21 ~~pursuant to s. 212.055(7), if fully levied over the 5-year~~
22 ~~period.~~

23 ~~(3) ELIGIBLE REVENUE SOURCES FOR REQUIRED LOCAL~~
24 ~~EFFORT.-- Expenditures from eligible revenues which may be~~
25 ~~counted toward a district's required local effort shall be~~
26 ~~limited to:~~

27 ~~(a) Public Education Capital Outlay and Debt Service~~
28 ~~Trust Fund distributions for construction pursuant to s.~~
29 ~~235.42.~~

30 ~~(b) School District and Community College District~~
31 ~~Capital Outlay and Debt Service Trust Fund distributions.~~

Bill No. CS for SB 1848

Amendment No. ____

1 ~~(c) Direct proceeds from the half-cent local option~~
2 ~~school sales surtax authorized in s. 212.055(7).~~

3 ~~(d) Direct proceeds from the local government~~
4 ~~infrastructure sales surtax authorized in s. 212.055(2).~~

5 ~~(e) Direct proceeds from the 2-mill discretionary~~
6 ~~capital outlay levy authorized in s. 236.25.~~

7 ~~(f) Direct proceeds from district voted millage for~~
8 ~~capital outlay purposes as authorized in s. 9, Art. VII of the~~
9 ~~State Constitution.~~

10 ~~(g) School Infrastructure Thrift (SIT) Program awards~~
11 ~~received pursuant to ss. 235.2155 and 235.216.~~

12 ~~(h) Classrooms First Program proceeds received~~
13 ~~pursuant to s. 235.187.~~

14 ~~(i) Private donations.~~

15 ~~(j) Grants from local governments or not-for-profit~~
16 ~~organizations.~~

17 ~~(4) COMPUTATION OF BASIC DISTRICT CAPITAL OUTLAY~~
18 ~~EXPENDITURES ELIGIBLE FOR INCLUSION IN CALCULATION FOR EFFORT~~
19 ~~INDEX GRANTS.--~~

20 ~~(a) When reviewing a district facilities work program,~~
21 ~~the clearinghouse shall calculate the district's planned basic~~
22 ~~capital outlay expenditures that may be eligible for an effort~~
23 ~~index grant. For each district, this calculation shall consist~~
24 ~~of:~~

25 ~~1. Expenditures for district capital outlay projects~~
26 ~~described in subsection (1).~~

27 ~~2. Expenditures for debt service payments for~~
28 ~~outstanding capital outlay bonds sold to finance new~~
29 ~~construction, remodeling, renovation, or major repair of~~
30 ~~educational facilities.~~

31 ~~3. Expenditures for scheduled payments on outstanding~~

Bill No. CS for SB 1848

Amendment No. ____

1 ~~certificates of participation used to finance new~~
2 ~~construction, remodeling, renovation, or major repair of~~
3 ~~educational facilities.~~

4
5 ~~Expenditures relating to the replacement of relocatable~~
6 ~~classrooms that meet standards shall not qualify as~~
7 ~~expenditures eligible for inclusion in the calculation for~~
8 ~~effort index grants.~~

9 ~~(b) The computation of basic district capital outlay~~
10 ~~expenditures eligible for inclusion in the clearinghouse's~~
11 ~~calculation for effort index grants for projects initiated~~
12 ~~after July 1, 1997, shall be based upon the actual cost per~~
13 ~~student station or the cost per student station calculated~~
14 ~~pursuant to s. 235.435(6), whichever is less.~~

15 ~~(5) ALLOCATION OF EFFORT INDEX GRANTS FOR DISTRICT~~
16 ~~FACILITIES.~~

17 ~~(a) If the calculated district obligation is equal to~~
18 ~~or greater than the calculated required effort amount for the~~
19 ~~eligible expenditures, the district shall be eligible for an~~
20 ~~effort index grant, to be determined by the clearinghouse by~~
21 ~~calculating need from the actual cost per student station or~~
22 ~~the cost per student station pursuant to s. 235.435(6),~~
23 ~~whichever is less, plus debt service payments for new~~
24 ~~construction, remodeling, renovation, or major repair of~~
25 ~~educational facilities less the calculated required effort~~
26 ~~amount.~~

27 ~~(b) Annually by November 1, the clearinghouse shall~~
28 ~~report to the Governor and the Legislature on the amount~~
29 ~~required to fully fund effort index grants for each of the~~
30 ~~following 5 years.~~

31 ~~(c) Districts demonstrating inability to finance~~

Bill No. CS for SB 1848

Amendment No. ____

1 ~~eligible projects in their district facilities work programs~~
2 ~~after meeting the requirements in subsection (2) may be~~
3 ~~eligible to receive effort index grants, subject to~~
4 ~~legislative appropriations for this purpose.~~

5 ~~(d) If legislative appropriations are insufficient to~~
6 ~~fully fund the eligible total statewide qualified effort index~~
7 ~~grants as calculated by the clearinghouse, priority~~
8 ~~consideration shall be given to providing effort index grants~~
9 ~~to those districts based upon:~~

10 ~~1. The extent to which they have exceeded the district~~
11 ~~effort index in subsection (2); and~~

12 ~~2. The extent to which they have maximized their~~
13 ~~revenue generating potential from the district effort index in~~
14 ~~subsection (2) through the purchase of certificates of~~
15 ~~participation, the sale of bonds, or other appropriate~~
16 ~~long-term financing.~~

17 Section 6. Subsection (4) of section 235.211, Florida
18 Statutes, is amended to read:

19 235.211 Educational facilities contracting and
20 construction techniques.--

21 (4) Except as otherwise provided in this section and
22 s. 481.229, the services of a registered architect must be
23 used for the development of plans for the erection,
24 enlargement, or alteration of any educational facility. The
25 services of a registered architect are not required for a
26 minor renovation project for which the construction cost is
27 less than \$50,000 or for the placement or hookup of
28 relocatable educational facilities that conform with standards
29 adopted under s. 235.26(2) and (3). However, boards must
30 provide compliance with building code requirements and ensure
31 that these structures are adequately anchored for wind

Bill No. CS for SB 1848

Amendment No. ____

1 resistance as required by law. Boards are encouraged to
2 consider the reuse of existing construction documents or
3 design criteria packages where such reuse is feasible and
4 practical. Notwithstanding s. 287.055, a board may purchase
5 the architectural services for the design of educational or
6 ancillary facilities under an existing contract agreement for
7 professional services held by a school board in the State of
8 Florida, provided that the purchase is to the economic
9 advantage of the purchasing board, the services conform to the
10 standards prescribed by rules of the Commissioner of
11 Education, and such reuse is not without notice to, and
12 permission from, the architect of record whose plans or design
13 criteria are being reused. ~~The department shall review these~~
14 Plans shall be reviewed for compliance with the state
15 requirements for educational facilities. Rules adopted under
16 this section must establish uniform prequalification,
17 selection, bidding, and negotiation procedures applicable to
18 construction management contracts and the design-build
19 process. This section does not supersede any small,
20 woman-owned or minority-owned business enterprise preference
21 program adopted by a board. Except as otherwise provided in
22 this section, the negotiation procedures applicable to
23 construction management contracts and the design-build process
24 must conform to the requirements of s. 287.055. A board may
25 not modify any rules regarding construction management
26 contracts or the design-build process.

27 Section 7. Paragraph (a) of subsection (3) and
28 subsections (7) and (8) of section 235.2155, Florida Statutes,
29 1998 Supplement, are amended to read:

30 235.2155 School Infrastructure Thrift Program Act.--

31 (3) The SIT Program is designed as:

Bill No. CS for SB 1848

Amendment No. ____

1 (a) An incentive program to reward districts for:

2 1. Savings realized through functional, frugal
3 construction.

4 2. Savings realized through the operation of charter
5 schools in non-school-district facilities during the
6 1996-1997, 1997-1998, and 1998-1999 school years.

7 (7) Awards from the SIT Program shall be made by the
8 commissioner from funds appropriated by the Legislature. An
9 award funded by an appropriation from the General Revenue Fund
10 and may be used for any lawful capital outlay expenditure. An
11 award funded by an appropriation of the proceeds of bonds
12 issued pursuant to s. 235.2195 may be used only for bondable
13 capital outlay projects.

14 ~~(8)(a) For each award to a school district pursuant to~~
15 ~~paragraph (3)(a) that is recommended by the SMART Schools~~
16 ~~Clearinghouse, the commissioner may award up to 50 percent of~~
17 ~~the savings realized from the district's frugality.~~

18 ~~(b) For each award to a school district pursuant to~~
19 ~~paragraph (3)(b) that is recommended by the SMART Schools~~
20 ~~Clearinghouse, the commissioner may present a trophy or plaque~~
21 ~~and a cash award to the school.~~

22 Section 8. Subsections (2) and (3) of section 235.216,
23 Florida Statutes, 1998 Supplement, are amended to read:

24 235.216 SIT Program award eligibility; maximum cost
25 per student station of educational facilities; frugality
26 incentives; recognition awards.--

27 (2) ~~Beginning with the 1997-1998 fiscal year,~~A school
28 district may seek an award from the SIT Program, pursuant to
29 this section and s. 235.2155, based on the district's:

30 (a) New construction of educational facilities if the
31 cost per student station is less than:

Bill No. CS for SB 1848

Amendment No. ____

- 1 1. \$11,600 for an elementary school,
- 2 2. \$13,300 for a middle school, or
- 3 3. \$17,600 for a high school,

4
5 (1997) as adjusted annually by the Consumer Price Index. The
6 award shall be up to 50 percent of such savings, as
7 recommended by the SMART Schools Clearinghouse.

8 (b) Operation of charter schools in
9 non-school-district facilities. SIT Program awards pursuant to
10 this paragraph shall be as recommended by the SMART Schools
11 Clearinghouse. After the initial award, the recommendation
12 must be based on savings realized from proportionate district
13 increase in such charter school enrollment in excess of
14 original enrollment, and the award shall be up to 50 percent
15 of such savings.

16 (3) Beginning with the 1998-1999 fiscal year, a school
17 district may seek a SMART school of the year recognition award
18 for building the highest quality functional, frugal school.
19 The commissioner may present a trophy or plaque and a cash
20 award to the school recommended by the SMART Schools
21 Clearinghouse for a SMART school of the year recognition
22 award.

23 Section 9. Paragraphs (c), (d), and (e) of subsection
24 (1), and paragraph (b) of subsection (3), of section 235.217,
25 Florida Statutes, 1998 Supplement, are amended to read:

26 235.217 SMART (Soundly Made, Accountable, Reasonable,
27 and Thrifty) Schools Clearinghouse.--

28 (1)

29 ~~(c) Members of the clearinghouse shall be appointed no~~
30 ~~later than November 28, 1997, and shall convene for their~~
31 ~~first meeting no later than December 1, 1997.~~

Bill No. CS for SB 1848

Amendment No. ____

1 ~~(c)~~(d) The clearinghouse is assigned to the Department
2 of Management Services for administrative and fiscal
3 accountability purposes, but it shall otherwise function
4 independently of the control and direction of the department,
5 except as otherwise provided in chapters 110, 255, and 287 for
6 agencies of the executive branch.

7 ~~(d)~~(e) The clearinghouse may adopt rules necessary to
8 carry out its duties, including, but not limited to, rules
9 relating to design and performance standards, the SMART
10 Schools Design Directory, project delivery process, and
11 prioritization of SIT Program awards.

12 (3) The clearinghouse shall:

13 (b) Prioritize school district SIT Program awards ~~and~~
14 ~~effort index grants~~ based on a review of the district
15 facilities work programs and proposed construction projects.

16 Section 10. Paragraph (a) of subsection (1) of section
17 235.212, Florida Statutes, is amended to read:

18 235.212 Low-energy use design; solar energy systems;
19 swimming pool heaters.--

20 (1)(a) Passive design elements and low-energy usage
21 features shall be included in the design and construction of
22 new educational facilities. Operable glazing consisting of at
23 least 5 percent of the floor area shall be placed in each
24 classroom located on the perimeter of the building. Operable
25 glazing is not required, except in community colleges,
26 auxiliary facilities, music rooms, gyms, locker and shower
27 rooms, special laboratories requiring special climate control,
28 and large group instruction areas having a capacity of more
29 than 100 persons.

30 Section 11. Paragraph (a) of subsection (1) of section
31 235.31, Florida Statutes, 1998 Supplement, is amended to read:

Bill No. CS for SB 1848

Amendment No. ____

1 235.31 Advertising and awarding contracts;
2 prequalification of contractor.--

3 (1)(a) As soon as practicable after any bond issue has
4 been voted upon and authorized or funds have been made
5 available for the construction, remodeling, renovation,
6 demolition, or otherwise for the improvement, of any
7 educational or ancillary plant, and after plans for the work
8 have been approved, the board, if competitively bidding the
9 project pursuant to s. 235.211, after advertising the same in
10 the manner prescribed by law or rule, shall award the contract
11 for the building or improvements to the lowest responsible
12 bidder. However, if after taking all deductive alternates,
13 the bid of the lowest responsible bidder exceeds the
14 construction budget for the project established at the phase
15 III submittal, the board may declare an emergency. After
16 stating the reasons why an emergency exists, the board may
17 negotiate the construction contract or modify the contract,
18 including the specifications, with the lowest responsible
19 bidder and, if the contract is modified, shall resubmit the
20 documents to the authorized review authority ~~department~~ for
21 review to confirm that the project remains in compliance with
22 building and fire codes. The board may reject all bids
23 received and may readvertise, calling for new bids.

24 Section 12. Subsection (3) of section 235.218, Florida
25 Statutes, 1998 Supplement, is amended to read:

26 235.218 School district facilities work program
27 performance and productivity standards; development;
28 measurement; application.--

29 (3) The clearinghouse shall conduct ongoing
30 evaluations of district educational facilities program
31 performance and productivity, using the measures adopted under

Bill No. CS for SB 1848

Amendment No. ____

1 this section. If, using these measures, the clearinghouse
2 finds that a district failed to perform satisfactorily, the
3 clearinghouse must recommend to the district school board
4 actions to be taken to improve the district's performance. ~~A~~
5 ~~district that refuses to follow the recommended actions may be~~
6 ~~denied an effort index grant.~~

7 Section 13. Subsection (1) of section 235.061, Florida
8 Statutes, 1998 Supplement, is amended to read:

9 235.061 Standards for relocatables used as classroom
10 space; inspections.--

11 (1) The Commissioner of Education shall adopt rules
12 establishing standards for relocatables intended for long-term
13 use as classroom space at a public elementary school, middle
14 school, or high school. "Long-term use" means the use of
15 relocatables at the same educational plant for a period of 4
16 years or more. These rules must be implemented by July 1,
17 1998, and each relocatable acquired by a district school board
18 after the effective date of the rules and intended for
19 long-term use must comply with the standards. The rules shall
20 require that, by July 1, 2001, relocatables that fail to meet
21 the standards may not be used as classrooms. The standards
22 shall protect the health, safety, and welfare of occupants by
23 requiring compliance with the Uniform Building Code for Public
24 Educational Facilities or other locally adopted state minimum
25 building codes to ensure the safety and stability of
26 construction and onsite installation; fire and moisture
27 protection; air quality and ventilation; appropriate wind
28 resistance; and compliance with the requirements of the
29 Americans with Disabilities Act of 1990. If appropriate, the
30 standards must also require relocatables to provide access to
31 the same technologies available to similar classrooms within

Bill No. CS for SB 1848

Amendment No. ____

1 the main school facility and, if appropriate, to be accessible
2 by adequate covered walkways. By July 1, 2003, the
3 commissioner shall adopt standards for all relocatables
4 intended for long-term use as classrooms.A relocatable that
5 is subject to this section and does not meet the standards
6 shall not be reported as providing satisfactory student
7 stations in the Florida Inventory of School Houses.

8 Section 14. Subsection (5) of section 404.056, Florida
9 Statutes, 1998 Supplement, is amended to read:

10 404.056 Environmental radiation standards and
11 programs; radon protection.--

12 (5) MANDATORY TESTING.--All public and private school
13 buildings or school sites housing students in kindergarten
14 through grade 12; all state-owned, state-operated,
15 state-regulated, or state-licensed 24-hour care facilities;
16 and all state-licensed day care centers for children or minors
17 which are located in counties designated within the Department
18 of Community Affairs' Florida Radon Protection Map Categories
19 as "Intermediate" or "Elevated Radon Potential" shall be
20 measured to determine the level of indoor radon, using
21 measurement procedures established by the department. Testing
22 shall be completed within the first year of construction in 20
23 percent of the habitable first floor spaces within any of the
24 regulated buildings.Initial measurements shall be completed
25 and reported to the department by July 1, of the year the
26 building is opened for occupancy. Follow-up testing must be
27 completed in 5 percent of the habitable first floor spaces
28 within any of the regulated buildings after the building has
29 been occupied for 5 years, and results must be reported to the
30 department by July 1 of the 5th year of occupancy. After radon
31 measurements have been made twice, regulated buildings need

Bill No. CS for SB 1848

Amendment No. ____

1 not undergo further testing unless significant structural
2 changes occur. Where fill soil is required for the
3 construction of a regulated building, initial testing of fill
4 soil must be performed using measurement procedures
5 established by the department, and the results must be
6 reported to the department prior to construction.~~1990, and~~
7 ~~repeated measurements shall be performed and reported to the~~
8 ~~department at 5-year intervals. Test results, prior to the~~
9 ~~effective date of this act, may be accepted by the department~~
10 ~~as long as the tests conducted meet the standards for testing~~
11 ~~promulgated by the department, and the school or care facility~~
12 ~~certifies this in writing to the department. The provisions~~
13 ~~of paragraph (3)(c) as to confidentiality shall not apply to~~
14 ~~this subsection. No funds collected pursuant to s. 553.721~~
15 ~~shall be used to carry out the provisions of this subsection.~~

16 Section 15. Section 46 of chapter 97-384, Laws of
17 Florida, is amended to read:

18 Section 46. There is hereby appropriated to the
19 Department of Education for fiscal year 1997-1998 the sum of
20 \$150 million from the General Revenue Fund and, contingent
21 upon the sale of 1997 school capital outlay bonds pursuant to
22 s. 235.2195, Florida Statutes, the sum of \$450 million from
23 the Educational Enhancement Trust Fund. The purpose of this
24 appropriation is to fund School Infrastructure Thrift (SIT)
25 Program awards pursuant to the provisions of ss. 235.2155 and
26 235.216, Florida Statutes, and effort index grants pursuant to
27 the provisions of s. 235.186, Florida Statutes. The maximum
28 amount of funds authorized for effort index grant awards
29 ~~through June 30, 1998, is \$300\$70 million.~~ Effort index
30 grants shall only be funded from the Educational Enhancement
31 Trust Fund appropriation authorized in this section. The funds

Bill No. CS for SB 1848

Amendment No. ____

1 appropriated in this section shall not be subject to the
2 provisions of s. 216.301, Florida Statutes.

3
4 (Redesignate subsequent sections.)

5
6
7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 On page 1, line 7, through page 2, line 2, delete those
10 lines

11
12 and insert:

13 amending s. 235.15, F.S.; requiring validation
14 of certain surveys; amending s. 235.175, F.S.;
15 deleting formula for School Infrastructure
16 Thrift awards and effort index grants; amending
17 s. 235.186, F.S.; allocating certain funds for
18 effort index grants; revising the eligibility
19 criteria and allocation formula for effort
20 index grants; amending s. 235.2155, F.S.;
21 revising School Infrastructure Thrift awards
22 and related uses; amending s. 235.216, F.S.
23 authorizing enhanced School Infrastructure
24 Thrift Awards; specifying eligibility criteria;
25 amending ss. 235.217, 235.218, F.S.; conforming
26 provisions; deleting obsolete provisions;
27 amending s. 235.211, F.S.; revising plan review
28 requirements; amending s. 235.212, F.S.;
29 specifying areas exempt from operable glazing;
30 amending s. 235.31, F.S.; revising review
31 authority of contracts; amending s. 235.061,

Bill No. CS for SB 1848

Amendment No. ____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

F.S.; providing for the adoption of standards
for relocatable classrooms; amending s.
404.056, F.S.; revising requirements related to
radon testing; amending s. 46 of ch. 97-384,
Laws of Florida, relating to appropriations for
School Infrastructure Thrift Program awards and
effort index grants; specifying the amount
authorized for effort index grants; repealing
s. 235.4355,