

Bill No. CS for SB 1848

Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator McKay moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 19, between lines 3 and 4,

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16 insert:

17 Section 18. Subsection (3) of section 235.26, Florida
18 Statutes, 1998 Supplement, is amended to read:

19 235.26 State Uniform Building Code for Public
20 Educational Facilities Construction.--The Commissioner of
21 Education shall adopt a uniform statewide building code for
22 the planning and construction of public educational and
23 ancillary plants by district school boards and community
24 college district boards of trustees. The code must be entitled
25 the State Uniform Building Code for Public Educational
26 Facilities Construction. Included in this code must be flood
27 plain management criteria in compliance with the rules and
28 regulations in 44 C.F.R. parts 59 and 60, and subsequent
29 revisions thereto which are adopted by the Federal Emergency
30 Management Agency. Wherever the words "Uniform Building Code"
31 appear, they mean the "State Uniform Building Code for Public

Bill No. CS for SB 1848

Amendment No. ____

1 Educational Facilities Construction." It is not a purpose of
 2 the Uniform Building Code to inhibit the use of new materials
 3 or innovative techniques; nor may it specify or prohibit
 4 materials by brand names. The code must be flexible enough to
 5 cover all phases of construction so as to afford reasonable
 6 protection for the public safety, health, and general welfare.
 7 The department may secure the service of other state agencies
 8 or such other assistance as it finds desirable in revising the
 9 code.

10 (3) ENFORCEMENT BY BOARD.--It is the responsibility of
 11 each district school board and community college district
 12 board of trustees to ensure that all plans and educational and
 13 ancillary plants meet the standards of the Uniform Building
 14 Code and to provide for the enforcement of this code in the
 15 areas of its jurisdiction. Each board shall provide for the
 16 proper supervision and inspection of the work. Each board may
 17 employ a chief building official or inspector and such other
 18 inspectors, who have been certified by the department or
 19 certified pursuant to chapter 468, and such personnel as are
 20 necessary to administer and enforce the provisions of this
 21 code. Boards may also utilize local building department
 22 inspectors who are certified by the department to enforce this
 23 code. Plans or facilities that fail to meet the standards of
 24 the Uniform Building Code may not be approved. When planning
 25 for and constructing an educational, auxiliary, or ancillary
 26 facility, a district school board must use construction
 27 materials and systems that meet standards adopted pursuant to
 28 subsection (2)(f)5. If the planned or actual construction of a
 29 facility deviates from the adopted standards, the district
 30 school board must, at a public hearing, quantify and compare
 31 the costs of constructing the facility with the proposed

Bill No. CS for SB 1848

Amendment No. ____

1 deviations and in compliance with the adopted standards and
 2 the Uniform Building Code. The board must explain the reason
 3 for the proposed deviations and compare how the total
 4 construction costs and projected life-cycle costs of the
 5 facility or component system of the facility would be affected
 6 by implementing the proposed deviations rather than using
 7 materials and systems that meet the adopted standards. The
 8 provisions of this paragraph do apply to educational,
 9 auxiliary, and ancillary facility projects commenced on or
 10 after July 1, 1999.

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12 (Redesignate subsequent sections.)

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15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17 On page 2, line 2, after the semicolon

18

19 insert:

20 amending s. 235.26, F.S.; requiring district
 21 school boards to comply with certain standards
 22 for construction materials and systems based on
 23 life-cycle costs; providing an exception;
 24 requiring a public hearing;

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