

By the Committee on Governmental Oversight and Productivity;
and Senator Clary

302-2122-99

1 A bill to be entitled
2 An act relating to educational facilities;
3 amending s. 235.056, F.S.; requiring certain
4 plans to be prepared by an appropriate design
5 professional; amending s. 235.0155, F.S.;
6 revising the fee for prototype plans usage;
7 amending s. 235.15, F.S.; requiring validation
8 of certain surveys; amending s. 235.2155, F.S.;
9 revising School Infrastructure Thrift awards
10 and related uses; amending s. 235.216, F.S.
11 authorizing enhanced School Infrastructure
12 Thrift Awards; specifying eligibility criteria;
13 repealing s. 235.186, F.S., relating to effort
14 index grants; amending ss. 235.175, 235.185,
15 235.188, 235.217, 235.218, F.S.; conforming
16 provisions; deleting obsolete provisions;
17 amending s. 235.211, F.S.; revising plan review
18 requirements; amending s. 235.212, F.S.;
19 specifying areas exempt from operable glazing;
20 amending s. 235.31, F.S.; revising review
21 authority of contracts; amending s. 46 of ch.
22 97-384, Laws of Florida, relating to
23 appropriations for School Infrastructure Thrift
24 Program awards and effort index grants;
25 limiting the appropriation to such awards;
26 deleting funding for and references to effort
27 index grants; amending s. 235.061; providing
28 for the adoption of standards for relocatable
29 classrooms; amending s. 404.056, F.S.; revising
30 requirements related to radon testing;
31 repealing s. 235.186, F.S., relating to effort

1 index grants for school district facilities
2 work program projects; repealing s. 235.4355,
3 F.S., relating to SMART Schools Small County
4 Assistance Program for Fiscal Year 1998-1999;
5 providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
8

9 Section 1. Paragraph (b) of subsection (3) of section
10 235.056, Florida Statutes, 1998 Supplement, is amended to
11 read:

12 235.056 Lease, rental, and lease-purchase of
13 educational facilities and sites.--

14 (3)

15 (b) Prior to occupying a rented or a leased existing
16 building, or space within an existing building, pursuant to
17 this subsection, a school board shall, in a public meeting,
18 adopt a resolution certifying that the following circumstances
19 apply to the building proposed for occupancy:

20 1. Growth among the school-age population in the
21 school district has created a need for new educational
22 facilities in a neighborhood where there is little or no
23 vacant land.

24 2. There exists a supply of vacant space in existing
25 buildings that meet state minimum building and life safety
26 codes.

27 3. Acquisition and conversion to use as educational
28 facilities of an existing building or buildings is a
29 cost-saving means of providing the needed classroom space as
30 determined by the difference between the cost of new
31 construction, including land acquisition and preparation and,

1 if applicable, demolition of existing structures, and the cost
2 of acquisition through rental or lease and conversion of an
3 existing building or buildings.

4 4. The building has been examined for suitability,
5 safety, and conformance with state minimum building and life
6 safety codes. The building examination shall consist, at a
7 minimum, of a review of existing documents, building site
8 reconnaissance, and analysis of the building conducted by, or
9 under the responsible charge of, a licensed structural
10 engineer.

11 5. A certificate of evaluation has been issued by an
12 appropriately licensed design professional ~~the structural~~
13 ~~engineer~~ which states that, based on available documents,
14 building site reconnaissance, current knowledge, and design
15 engineering judgment in the professional's ~~engineer's~~
16 ~~professional~~ opinion, the building meets the requirements of
17 state minimum building and life safety codes, provides safe
18 egress of occupants from the building, provides adequate
19 firesafety, and does not pose a substantial threat to life to
20 persons who would occupy the building for classroom use.

21 6. The plans for conversion of the building were
22 prepared by an appropriate design professional ~~architect or~~
23 ~~structural engineer~~ licensed in this state, and the work of
24 conversion was performed by contractors licensed in this
25 state.

26 7. The conversion of the building was observed by an
27 appropriate design professional ~~architect or structural~~
28 ~~engineer~~ licensed in this state.

29 8. The building has been reviewed, inspected, and
30 granted a certificate of occupancy by the local building
31 department.

1 9. All ceilings, light fixtures, ducts, and registers
2 within the area to be occupied for classroom purposes were
3 constructed or have been reconstructed to meet state minimum
4 requirements.

5 Section 2. Subsection (3) of section 235.0155, Florida
6 Statutes, is amended to read:

7 235.0155 Prototype designs.--

8 (3) District school boards may use the prototype plans
9 ~~free of charge from the department for all new facilities.~~

10 Site adaptations, minor plan modifications, inspections,
11 contract award, contract management, and final acceptance of
12 the project shall be provided under contracts held by the
13 school board.

14 Section 3. Paragraph (c) of subsection (1) of section
15 235.15, Florida Statutes, 1998 Supplement, is amended to read:

16 235.15 Educational plant survey; localized need
17 assessment; PECO project funding.--

18 (1) At least every 5 years, each board, including the
19 Board of Regents, shall arrange for an educational plant
20 survey, to aid in formulating plans for housing the
21 educational program and student population, faculty,
22 administrators, staff, and auxiliary and ancillary services of
23 the district or campus, including consideration of the local
24 comprehensive plan. The Division of Workforce Development
25 shall document the need for additional career and adult
26 education programs and the continuation of existing programs
27 before facility construction or renovation related to career
28 or adult education may be included in the educational plant
29 survey of a school district or community college that delivers
30 career or adult education programs. Information used by the
31 Division of Workforce Development to establish facility needs

1 must include, but need not be limited to, labor market data,
2 needs analysis, and information submitted by the school
3 district or community college.

4 (c) Review and validation.--~~When required by the~~
5 ~~Constitution,~~The department shall review and validate the
6 surveys of school districts and community colleges and any
7 amendments thereto for compliance with the requirements of
8 this chapter and, when required by the State Constitution,
9 shall recommend those in compliance for approval by the State
10 Board of Education.

11 Section 4. Subsections (4), (5), and (6) of section
12 235.175, Florida Statutes, 1998 Supplement, are amended to
13 read:

14 235.175 SMART schools; Classrooms First; legislative
15 purpose.--

16 (4) SMART SCHOOLS CLEARINGHOUSE.--It is the purpose of
17 the Legislature to create s. 235.217, establishing the SMART
18 Schools Clearinghouse to assist the school districts in
19 building SMART schools utilizing functional and frugal
20 practices. The SMART Schools Clearinghouse must review
21 district facilities work programs and projects and identify
22 districts qualified for incentive funding available through
23 ~~effort index grants and School Infrastructure Thrift Program~~
24 awards; identify opportunities to maximize design and
25 construction savings; develop school district facilities work
26 program performance standards; and provide for review and
27 recommendations to the Governor, the Legislature, and the
28 State Board of Education.

29 ~~(5) EFFORT INDEX GRANTS.--It is the purpose of the~~
30 ~~Legislature to create s. 235.186, in order to provide grants~~
31 ~~from state funds to assist school districts that have provided~~

1 ~~a specified level of local effort funding and still have a~~
2 ~~need to build new student stations and associated core~~
3 ~~facility space to meet student membership requirements in K-12~~
4 ~~programs. Districts must utilize state funds in accordance~~
5 ~~with statutory requirements and obligate from among all~~
6 ~~eligible sources an amount that is equivalent to the potential~~
7 ~~available for construction from PECO funds, capital outlay and~~
8 ~~debt service bond proceeds, Classrooms First funds, and the~~
9 ~~one-half cent local option school sales surtax. Effort index~~
10 ~~grants will be based upon recommendation of the SMART Schools~~
11 ~~Clearinghouse.~~

12 ~~(5)(6)~~ SCHOOL INFRASTRUCTURE THRIFT (SIT) PROGRAM
13 AWARDS.--It is the purpose of the Legislature to convert the
14 SIT Program established in ss. 235.2155 and 235.216 to an
15 incentive award program to encourage functional, frugal
16 facilities and practices and to reward school districts that
17 increase their capital outlay funding through local efforts.
18 ~~Districts that find ways to reduce the cost of, or eliminate~~
19 ~~the need for, constructing educational facilities can receive~~
20 ~~SIT Program awards equal to 50 percent of the amount saved. In~~
21 ~~addition, districts may submit new schools to receive a SIT~~
22 ~~Program SMART school of the year recognition award. SIT~~
23 ~~Program awards will be based upon recommendation of the SMART~~
24 ~~Schools Clearinghouse and may be used for any authorized~~
25 ~~capital expenditure.~~

26 Section 5. Paragraph (a) of subsection (2) of section
27 235.185, Florida Statutes, 1998 Supplement, is amended to
28 read:

29 235.185 School district facilities work program;
30 definitions; preparation, adoption, and amendment; long-term
31 work programs.--

1 (2) PREPARATION OF TENTATIVE DISTRICT FACILITIES WORK
2 PROGRAM.--

3 (a) Annually, prior to the adoption of the district
4 school budget, each school board shall prepare a tentative
5 district facilities work program that includes:

6 1. A schedule of major repair and renovation projects
7 necessary to maintain the educational plant and ancillary
8 facilities of the district.

9 2. A schedule of capital outlay projects necessary to
10 ensure the availability of satisfactory student stations for
11 the projected student enrollment in K-12 programs. This
12 schedule shall consider:

13 a. The locations, capacities, and planned utilization
14 rates of current educational facilities of the district.

15 b. The proposed locations of planned facilities.

16 c. Plans for the use and location of relocatable
17 facilities, leased facilities, and charter school facilities.

18 d. Plans for multitrack scheduling, grade level
19 organization, block scheduling, or other alternatives that
20 reduce the need for permanent student stations.

21 e. Information concerning average class size and
22 utilization rate by grade level within the district that will
23 result if the tentative district facilities work program is
24 fully implemented. The average shall not include exceptional
25 student education classes or prekindergarten classes.

26 f. The number and percentage of district students
27 planned to be educated in relocatable facilities during each
28 year of the tentative district facilities work program.

29 g. Plans for the closure of any school, including
30 plans for disposition of the facility or usage of facility
31 space, and anticipated revenues.

1 3. The projected cost for each project identified in
2 the tentative district facilities work program. For proposed
3 projects for new student stations, a schedule shall be
4 prepared comparing the planned cost and square footage for
5 each new student station, by elementary, middle, and high
6 school levels, to the low, average, and high cost of
7 facilities constructed throughout the state during the most
8 recent fiscal year for which data is available from the
9 Department of Education.

10 4. A schedule of estimated capital outlay revenues
11 from each currently approved source which is estimated to be
12 available for expenditure on the projects included in the
13 tentative district facilities work program.

14 5. A schedule indicating which projects included in
15 the tentative district facilities work program will be funded
16 from current revenues projected in subparagraph 4.

17 6. A schedule of options for the generation of
18 additional revenues by the district for expenditure on
19 projects identified in the tentative district facilities work
20 program which are not funded under subparagraph 5. Additional
21 anticipated revenues may include ~~effort index grants~~, SIT
22 Program awards, and Classrooms First funds.

23 Section 6. Section 235.188, Florida Statutes, is
24 amended to read:

25 235.188 Full bonding required to participate in
26 programs.--Any district with unused bonding capacity in its
27 Capital Outlay and Debt Service Trust Fund allocation that
28 certifies in its district facilities work program that it will
29 not be able to meet all of its need for new student stations
30 within existing revenues must fully bond its Capital Outlay
31 and Debt Service Trust Fund allocation before it may

1 participate in Classrooms First or, the School Infrastructure
2 Thrift (SIT) Program, ~~or the Effort Index Grants Program.~~

3 Section 7. Subsection (4) of section 235.211, Florida
4 Statutes, is amended to read:

5 235.211 Educational facilities contracting and
6 construction techniques.--

7 (4) Except as otherwise provided in this section and
8 s. 481.229, the services of a registered architect must be
9 used for the development of plans for the erection,
10 enlargement, or alteration of any educational facility. The
11 services of a registered architect are not required for a
12 minor renovation project for which the construction cost is
13 less than \$50,000 or for the placement or hookup of
14 relocatable educational facilities that conform with standards
15 adopted under s. 235.26(2) and (3). However, boards must
16 provide compliance with building code requirements and ensure
17 that these structures are adequately anchored for wind
18 resistance as required by law. Boards are encouraged to
19 consider the reuse of existing construction documents or
20 design criteria packages where such reuse is feasible and
21 practical. Notwithstanding s. 287.055, a board may purchase
22 the architectural services for the design of educational or
23 ancillary facilities under an existing contract agreement for
24 professional services held by a school board in the State of
25 Florida, provided that the purchase is to the economic
26 advantage of the purchasing board, the services conform to the
27 standards prescribed by rules of the Commissioner of
28 Education, and such reuse is not without notice to, and
29 permission from, the architect of record whose plans or design
30 criteria are being reused. ~~The department shall review these~~
31 Plans shall be reviewed for compliance with the state

1 requirements for educational facilities. Rules adopted under
2 this section must establish uniform prequalification,
3 selection, bidding, and negotiation procedures applicable to
4 construction management contracts and the design-build
5 process. This section does not supersede any small,
6 woman-owned or minority-owned business enterprise preference
7 program adopted by a board. Except as otherwise provided in
8 this section, the negotiation procedures applicable to
9 construction management contracts and the design-build process
10 must conform to the requirements of s. 287.055. A board may
11 not modify any rules regarding construction management
12 contracts or the design-build process.

13 Section 8. Paragraph (a) of subsection (3) and
14 subsections (7) and (8) of section 235.2155, Florida Statutes,
15 1998 Supplement, are amended to read:

16 235.2155 School Infrastructure Thrift Program Act.--

17 (3) The SIT Program is designed as:

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

19 1. Savings realized through functional, frugal

20 construction.

21 2. Savings realized through the operation of charter
22 schools in non-school-district facilities.

23 3. Increasing capital outlay funding through local
24 efforts.

25 (7) Awards from the SIT Program shall be made by the
26 commissioner from funds appropriated by the Legislature. An
27 award funded by an appropriation from the General Revenue Fund
28 and may be used for any lawful capital outlay expenditure. An
29 award funded by an appropriation of the proceeds of bonds
30 issued pursuant to s. 235.2195 may be used only for bondable
31 capital outlay projects.

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

5 ~~(b) For each award to a school district pursuant to~~
6 ~~paragraph (3)(b) that is recommended by the SMART Schools~~
7 ~~Clearinghouse, The commissioner may present a trophy or plaque~~
8 ~~and a cash award to the school recommended by the SMART~~
9 ~~Schools Clearinghouse for a SMART school of the year~~
10 ~~recognition award.~~

11 Section 9. Section 235.216, Florida Statutes, 1998
12 Supplement, is amended to read:

13 235.216 SIT Program award eligibility; maximum cost
14 per student station of educational facilities; frugality
15 incentives; local effort awards; recognition awards.--

16 (1) It is the intent of the Legislature that district
17 school boards that seek awards of SIT Program funds use due
18 diligence and sound business practices in the design,
19 construction, and use of educational facilities.

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

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

- 25 1. \$11,600 for an elementary school,
- 26 2. \$13,300 for a middle school, or
- 27 3. \$17,600 for a high school,

28
29 (1997) as adjusted annually by the Consumer Price Index. The
30 award shall be up to 50 percent of such savings, as
31 recommended by the SMART Schools Clearinghouse.

1 (b) Operation of charter schools in
2 non-school-district facilities. SIT Program awards pursuant to
3 this paragraph shall be as recommended by the SMART Schools
4 Clearinghouse. After the initial award, the recommendation
5 must be based on savings realized from proportionate district
6 increase in such charter school enrollment in excess of
7 original enrollment, and the award shall be up to 50 percent
8 of such savings.

9 (3)(a) The SMART Schools Clearinghouse shall recommend
10 the payment of an additional enhanced SIT award equal to 25
11 percent of the SIT award granted under paragraph (2)(a) if the
12 construction contract for the educational facility that
13 generated the SIT award was granted during a year in which the
14 school district was:

15 1. Levying more than 2 mills of voted and nonvoted ad
16 valorem taxes for capital outlay purposes;

17 2. Receiving direct proceeds from the half-cent local
18 option sales surtax authorized by s. 212.055(7); or

19 3. Receiving direct proceeds from the local government
20 infrastructure sales surtax authorized by s. 212.055(2).

21 (b) A school district seeking an enhanced SIT award
22 shall certify to the clearinghouse that the district meets the
23 eligibility criteria for an enhanced SIT award. The
24 certification shall be submitted with the application for the
25 related SIT award.

26 (4)(3) Beginning with the 1998-1999 fiscal year, a
27 school district may seek a SMART school of the year
28 recognition award for building the highest quality functional,
29 frugal school.

30
31

1 Section 10. Subsection (1), and paragraph (b) of
2 subsection (3), of section 235.217, Florida Statutes, 1998
3 Supplement, are amended to read:

4 235.217 SMART (Soundly Made, Accountable, Reasonable,
5 and Thrifty) Schools Clearinghouse.--

6 (1)(a) The SMART Schools Clearinghouse is established
7 to assist school districts that seek to ~~access~~ School
8 Infrastructure Thrift (SIT) Program awards pursuant to ss.
9 235.2155 and 235.216 ~~or effort index grants pursuant to s.~~
10 ~~235.186~~. The clearinghouse must use expedited procedures in
11 providing such assistance.

12 (b) The clearinghouse shall consist of five members
13 who are not members of the Legislature or school district
14 officers or employees and who have substantial business
15 experience in the private sector. Two members shall be
16 appointed by the Governor for initial 1-year and 3-year terms,
17 respectively. One member shall be appointed by the President
18 of the Senate for an initial 2-year term. One member shall be
19 appointed by the Speaker of the House of Representatives for
20 an initial 2-year term. The Commissioner of Education or a
21 designee shall be a member. All subsequent terms of the four
22 appointed members shall be 3 years. The Governor's appointee
23 for the initial 3-year term shall chair the clearinghouse, and
24 each subsequent holder of that position shall serve as the
25 chair.

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

29 (c)~~(d)~~ The clearinghouse is assigned to the Department
30 of Management Services for administrative and fiscal
31 accountability purposes, but it shall otherwise function

1 independently of the control and direction of the department,
2 except as otherwise provided in chapters 110, 255, and 287 for
3 agencies of the executive branch.

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

9 (3) The clearinghouse shall:

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

13 Section 11. Paragraph (a) of subsection (1) of section
14 235.212, Florida Statutes, is amended to read:

15 235.212 Low-energy use design; solar energy systems;
16 swimming pool heaters.--

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

27 Section 12. Paragraph (a) of subsection (1) of section
28 235.31, Florida Statutes, 1998 Supplement, is amended to read:

29 235.31 Advertising and awarding contracts;
30 prequalification of contractor.--

31

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

22 Section 13. Subsection (3) of section 235.218, Florida
23 Statutes, 1998 Supplement, is amended to read:

24 235.218 School district facilities work program
25 performance and productivity standards; development;
26 measurement; application.--

27 (3) The clearinghouse shall conduct ongoing
28 evaluations of district educational facilities program
29 performance and productivity, using the measures adopted under
30 this section. If, using these measures, the clearinghouse
31 finds that a district failed to perform satisfactorily, the

1 clearinghouse must recommend to the district school board
2 actions to be taken to improve the district's performance. ~~A~~
3 ~~district that refuses to follow the recommended actions may be~~
4 ~~denied an effort index grant.~~

5 Section 14. Section 46 of chapter 97-384, Laws of
6 Florida, is amended to read:

7 Section 46. There is hereby appropriated to the
8 Department of Education for fiscal year 1997-1998 the sum of
9 \$150 million from the General Revenue Fund and, contingent
10 upon the sale of 1997 school capital outlay bonds pursuant to
11 s. 235.2195, Florida Statutes, the sum of \$450 million from
12 the Educational Enhancement Trust Fund. The purpose of this
13 appropriation is to fund School Infrastructure Thrift (SIT)
14 Program awards pursuant to the provisions of ss. 235.2155 and
15 235.216, Florida Statutes, ~~and effort index grants pursuant~~
16 ~~to the provisions of s. 235.186, Florida Statutes. The maximum~~
17 ~~amount of funds authorized for effort index grant awards~~
18 ~~through June 30, 1998, is \$70 million. Effort index grants~~
19 ~~shall only be funded from the Educational Enhancement Trust~~
20 ~~Fund appropriation authorized in this section. The funds~~
21 appropriated in this section shall not be subject to the
22 provisions of s. 216.301, Florida Statutes.

23 Section 15. Subsection (1) of section 235.061, Florida
24 Statutes, 1998 Supplement, is amended to read:

25 235.061 Standards for relocatables used as classroom
26 space; inspections.--

27 (1) The Commissioner of Education shall adopt rules
28 establishing standards for relocatables intended for long-term
29 use as classroom space at a public elementary school, middle
30 school, or high school. "Long-term use" means the use of
31 relocatables at the same educational plant for a period of 4

1 years or more. These rules must be implemented by July 1,
2 1998, and each relocatable acquired by a district school board
3 after the effective date of the rules and intended for
4 long-term use must comply with the standards. The rules shall
5 require that, by July 1, 2001, relocatables that fail to meet
6 the standards may not be used as classrooms. The standards
7 shall protect the health, safety, and welfare of occupants by
8 requiring compliance with the Uniform Building Code for Public
9 Educational Facilities or other locally adopted state minimum
10 building codes to ensure the safety and stability of
11 construction and onsite installation; fire and moisture
12 protection; air quality and ventilation; appropriate wind
13 resistance; and compliance with the requirements of the
14 Americans with Disabilities Act of 1990. If appropriate, the
15 standards must also require relocatables to provide access to
16 the same technologies available to similar classrooms within
17 the main school facility and, if appropriate, to be accessible
18 by adequate covered walkways. By July 1, 2003, the
19 commissioner shall adopt standards for all relocatables
20 intended for long-term use as classrooms.A relocatable that
21 is subject to this section and does not meet the standards
22 shall not be reported as providing satisfactory student
23 stations in the Florida Inventory of School Houses.

24 Section 16. Subsection (5) of section 404.056, Florida
25 Statutes, 1998 Supplement, is amended to read:

26 404.056 Environmental radiation standards and
27 programs; radon protection.--

28 (5) MANDATORY TESTING.--All public and private school
29 buildings or school sites housing students in kindergarten
30 through grade 12; all state-owned, state-operated,
31 state-regulated, or state-licensed 24-hour care facilities;

1 and all state-licensed day care centers for children or minors
2 which are located in counties designated within the Department
3 of Community Affairs' Florida Radon Protection Map Categories
4 as "Intermediate" or "Elevated Radon Potential" shall be
5 measured to determine the level of indoor radon, using
6 measurement procedures established by the department. Testing
7 shall be completed within the first year of construction in 20
8 percent of the habitable first floor spaces within any of the
9 regulated buildings. Initial measurements shall be completed
10 and reported to the department by July 1, of the year the
11 building is opened for occupancy. Follow-up testing must be
12 completed in 5 percent of the habitable first floor spaces
13 within any of the regulated buildings after the building has
14 been occupied for 5 years, and results must be reported to the
15 department by July 1 of the 5th year of occupancy. After radon
16 measurements have been made twice, regulated buildings need
17 not undergo further testing unless significant structural
18 changes occur. Where fill soil is required for the
19 construction of a regulated building, initial testing of fill
20 soil must be performed using measurement procedures
21 established by the department, and the results must be
22 reported to the department prior to construction.~~1990, and~~
23 ~~repeated measurements shall be performed and reported to the~~
24 ~~department at 5-year intervals. Test results, prior to the~~
25 ~~effective date of this act, may be accepted by the department~~
26 ~~as long as the tests conducted meet the standards for testing~~
27 ~~promulgated by the department, and the school or care facility~~
28 ~~certifies this in writing to the department. The provisions~~
29 ~~of paragraph (3)(c) as to confidentiality shall not apply to~~
30 ~~this subsection. No funds collected pursuant to s. 553.721~~
31 ~~shall be used to carry out the provisions of this subsection.~~

1 Section 17. Section 235.186, Florida Statutes, as
2 created by section 5 of chapter 97-384, Laws of Florida, is
3 repealed.

4 Section 18. Section 235.4355, Florida Statutes, as
5 created by section 19 of chapter 97-384, Laws of Florida, is
6 repealed.

7 Section 19. This act shall take effect upon becoming a
8 law.

9
10 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
11 COMMITTEE SUBSTITUTE FOR
12 Senate Bill 1848

13 The Committee Substitute:

- 14 1. Provides for school plant plan review by appropriately
15 licensed professionals other than structural engineers.
- 16 2. Eliminates the free use of prototype plans for school
17 construction.
- 18 3. Eliminates Effort Index Grants.
- 19 4. Provides for school construction or renovation plan review
20 by the appropriate reviewing authority.
- 21 5. Provides for an enhanced SIT program for school districts
22 which achieve certain local effort requirements and construct
23 frugal schools.
- 24 6. Exempts certain rooms and community colleges from operable
25 glazing requirements on windows.
- 26 7. Provides for standard setting by the Commissioner of
27 education on relocatable classrooms by the year 2003.
- 28 8. Revises radon testing frequency and application to
29 facilities in intermediate or elevated radon areas.
- 30
- 31