

Bill No. SB 292, 1st Eng.

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Thomas moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 36, between lines 2 and 3,		
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16	insert:		
17	Section 21. Paragraph (a) of subsection (2) of section		
18	235.435, Florida Statutes, is amended to read:		
19	235.435 Funds for comprehensive educational plant		
20	needs; construction cost maximums for school district capital		
21	projects.--Allocations from the Public Education Capital		
22	Outlay and Debt Service Trust Fund to the various boards for		
23	capital outlay projects shall be determined as follows:		
24	(2)(a) The department shall establish, as a part of		
25	the Public Education Capital Outlay and Debt Service Trust		
26	Fund, a separate account, in an amount determined by the		
27	Legislature, to be known as the "Special Facility Construction		
28	Account." The Special Facility Construction Account shall be		
29	used to provide necessary construction funds to school		
30	districts which have urgent construction needs but which lack		
31	sufficient resources at present, and cannot reasonably		

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1 anticipate sufficient resources within the period of the next
2 3 years, for these purposes from currently authorized sources
3 of capital outlay revenue. A school district requesting
4 funding from the Special Facility Construction Account shall
5 submit one specific construction project, not to exceed one
6 complete educational plant, to the Special Facility
7 Construction Committee. No district shall receive funding for
8 more than one approved project in any 3-year period. The first
9 year of the 3-year period shall be the first year a district
10 receives an appropriation. The department shall encourage a
11 construction program that reduces the average size of schools
12 in the district. The request must meet the following criteria
13 to be considered by the committee:

14 1. The project must be deemed a critical need and must
15 be recommended for funding by the Special Facility
16 Construction Committee. Prior to developing plans for the
17 proposed facility, the district school board must request a
18 preapplication review by the Special Facility Construction
19 Committee or a project review subcommittee convened by the
20 committee to include two representatives of the department and
21 two staff from school districts other than the district
22 submitting the project. Within 60 days after receiving the
23 preapplication review request, the committee or subcommittee
24 must meet in the school district to review the project
25 proposal and existing facilities. To determine whether the
26 proposed project is a critical need, the committee or
27 subcommittee shall consider, at a minimum, the capacity of all
28 existing facilities within the district as determined by the
29 Florida Inventory of School Houses; the district's pattern of
30 student growth; the district's existing and projected capital
31 outlay full-time equivalent student enrollment as determined

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1 by the department; the district's existing satisfactory
2 student stations; the use of all existing district property
3 and facilities; grade level configurations; and any other
4 information that may affect the need for the proposed project.

5 2. The construction project must be recommended in the
6 most recent survey or surveys by the district under the rules
7 of the State Board of Education.

8 3. The construction project must appear on the
9 district's approved project priority list under the rules of
10 the State Board of Education.

11 4. The district must have selected and had approved a
12 site for the construction project in compliance with s. 235.19
13 and the rules of the State Board of Education.

14 5. The district shall have developed a school board
15 adopted list of facilities that do not exceed the norm for net
16 square feet occupancy requirements under the State
17 Requirements for Educational Facilities, using all possible
18 programmatic combinations for multiple use of space to obtain
19 maximum daily use of all spaces within the facility under
20 consideration.

21 6. Upon construction, the total cost per student
22 station, including change orders, must not exceed the cost per
23 student station as provided in subsection (6).

24 7. There shall be an agreement signed by the district
25 school board stating that it will advertise for bids within 30
26 days of receipt of its encumbrance authorization from the
27 department.

28 8. The district shall, at the time of the request and
29 for a continuing period of 3 years, levy the maximum millage
30 against their nonexempt assessed property value as allowed in
31 s. 236.25(2) or shall raise an equivalent amount of revenue

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1 from the school capital outlay surtax authorized under s.
2 212.055(6). Effective July 1, 1991, any district with a new or
3 active project, funded under the provisions of this
4 subsection, shall be required to budget no more than the value
5 of 1.5 mills per year to the project to satisfy the annual
6 participation requirement in the Special Facility Construction
7 Account.

8 9. If a contract has not been signed 90 days after the
9 advertising of bids, the funding for the specific project
10 shall revert to the Special Facility New Construction Account
11 to be reallocated to other projects on the list. However, an
12 additional 90 days may be granted by the commissioner.

13 10. The department shall certify the inability of the
14 district to fund the survey-recommended project over a
15 continuous 3-year period using projected capital outlay
16 revenue derived from s. 9(d), Art. XII of the State
17 Constitution, as amended, paragraph (3)(a) of this section,
18 and s. 236.25(2).

19 11. The district shall have on file with the
20 department an adopted resolution acknowledging its 3-year
21 commitment of all unencumbered and future revenue acquired
22 from s. 9(d), Art. XII of the State Constitution, as amended,
23 paragraph (3)(a) of this section, and s. 236.25(2).

24 12. Final phase III plans must be certified by the
25 board as complete and in compliance with the building and life
26 safety codes prior to August 1.

27 Section 22. Any special facility construction project
28 for which phase III plans were certified by August 1, 1999, as
29 complete and in compliance with the building and life safety
30 codes as required by s. 235.435(2)(a)12., Florida Statutes, is
31 eligible for funding under s. 235.435(2), Florida Statutes, as

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1 amended by this act, if otherwise qualified, beginning July 1,
2 2000.

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4 (Redesignate subsequent sections.)

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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 3, line 19, after the semicolon,
10
11 insert:

12 amending s. 235.435, F.S.; authorizing school
13 districts to qualify construction projects for
14 funding under the Special Facility Construction
15 Account by using the school capital outlay
16 surtax in lieu of the maximum millage against
17 their nonexempt assessed property value;
18 specifying funding eligibility of certain
19 projects;

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