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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
2/20/2008	.	
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	.	

1 The Committee on Education Pre-K - 12 (Wise) recommended the
 2 following **amendment**:

3
 4 **Senate Amendment (with title amendment)**

5 Between line(s) 18 and 19

6 insert:

7 Section 2. Paragraph (a) of subsection (2) of section
 8 1013.64, Florida Statutes, is amended to read:

9 1013.64 Funds for comprehensive educational plant needs;
 10 construction cost maximums for school district capital
 11 projects.--Allocations from the Public Education Capital Outlay
 12 and Debt Service Trust Fund to the various boards for capital
 13 outlay projects shall be determined as follows:

14 (2) (a) The department shall establish, as a part of the
 15 Public Education Capital Outlay and Debt Service Trust Fund, a



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16 separate account, in an amount determined by the Legislature, to
17 be known as the "Special Facility Construction Account." The
18 Special Facility Construction Account shall be used to provide
19 necessary construction funds to school districts which have
20 urgent construction needs but which lack sufficient resources at
21 present, and cannot reasonably anticipate sufficient resources
22 within the period of the next 3 years, for these purposes from
23 currently authorized sources of capital outlay revenue. A school
24 district requesting funding from the Special Facility
25 Construction Account shall submit one specific construction
26 project, not to exceed one complete educational plant, to the
27 Special Facility Construction Committee. No district shall
28 receive funding for more than one approved project in any 3-year
29 period. The first year of the 3-year period shall be the first
30 year a district receives an appropriation. The department shall
31 encourage a construction program that reduces the average size
32 of schools in the district. The request must meet the following
33 criteria to be considered by the committee:

34 1. The project must be deemed a critical need and must be
35 recommended for funding by the Special Facility Construction
36 Committee. Prior to developing plans for the proposed facility,
37 the district school board must request a preapplication review
38 by the Special Facility Construction Committee or a project
39 review subcommittee convened by the committee to include two
40 representatives of the department and two staff from school
41 districts not eligible to participate in the program. Within 60
42 days after receiving the preapplication review request, the
43 committee or subcommittee must meet in the school district to



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44 review the project proposal and existing facilities. To
45 determine whether the proposed project is a critical need, the
46 committee or subcommittee shall consider, at a minimum, the
47 capacity of all existing facilities within the district as
48 determined by the Florida Inventory of School Houses; the
49 district's pattern of student growth; the district's existing
50 and projected capital outlay full-time equivalent student
51 enrollment as determined by the department; the district's
52 existing satisfactory student stations; the use of all existing
53 district property and facilities; grade level configurations;
54 and any other information that may affect the need for the
55 proposed project.

56 2. The construction project must be recommended in the
57 most recent survey or surveys conducted and approved by the
58 Office of Educational Facilities with the assistance of ~~by~~ the
59 district under the rules of the State Board of Education.

60 3. The construction project must appear on the district's
61 approved project priority list under the rules of the State
62 Board of Education.

63 4. The district must have selected and had approved a site
64 for the construction project in compliance with s. 1013.36 and
65 the rules of the State Board of Education.

66 5. With the assistance of the Office of Educational
67 Facilities, the district shall have developed a district school
68 board adopted list of facilities that do not exceed the norm for
69 net square feet occupancy requirements under the State
70 Requirements for Educational Facilities, using all possible
71 programmatic combinations for multiple use of space to obtain



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72 maximum daily use of all spaces within the facility under
73 consideration.

74 6. Upon construction, the total cost per student station,
75 including change orders, must not exceed the cost per student
76 station as provided in subsection (6). The total project may not
77 exceed the cost estimate approved by the Special Facility
78 Construction Committee, and additional funding may not be
79 awarded except for providential causes.

80 7. There shall be an agreement signed by the district
81 school board stating that it will advertise for bids within 30
82 days of receipt of its encumbrance authorization from the
83 department.

84 8. The district shall, at the time of the request and for
85 a continuing period of 3 years, levy the maximum millage against
86 their nonexempt assessed property value as allowed in s.
87 1011.71(2) or shall raise an equivalent amount of revenue from
88 the school capital outlay surtax authorized under s. 212.055(6).
89 Any district with a new or active project, funded under the
90 provisions of this subsection, shall be required to budget no
91 more than the value of 1.5 mills per year to the project to
92 satisfy the annual participation requirement in the Special
93 Facility Construction Account.

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



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99 10. The department shall certify the inability of the
 100 district to fund the survey-recommended project over a
 101 continuous 3-year period using projected capital outlay revenue
 102 derived from s. 9(d), Art. XII of the State Constitution, as
 103 amended, paragraph (3)(a) of this section, and s. 1011.71(2).

104 11. The district shall have on file with the department an
 105 adopted resolution acknowledging its 3-year commitment of all
 106 unencumbered and future revenue acquired from s. 9(d), Art. XII
 107 of the State Constitution, as amended, paragraph (3)(a) of this
 108 section, and s. 1011.71(2).

109 12. Final phase III plans must be certified by the board
 110 as complete and in compliance with the building and life safety
 111 codes, and reviewed and approved by the Office of Educational
 112 Facilities, prior to August 1.

113
 114 (Renumber subsequent section.)
 115 ===== T I T L E A M E N D M E N T =====

116 And the title is amended as follows:

117 On line(s) 4, after the semicolon,
 118 insert:
 119 amending s. 1013.64, F.S.; providing duties of the Office
 120 of Educational Facilities with respect to approving school
 121 district construction projects and assisting districts in
 122 developing lists of proposed facilities; limiting total
 123 project costs except for providential causes;