

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1338 Session of
2007

INTRODUCED BY MACKERETH, BAKER, BOYD, DePASQUALE, GEIST,
GIBBONS, GILLESPIE, GINGRICH, GRELL, HENNESSEY, M. KELLER,
LEACH, R. MILLER, MOUL, MUSTIO, MYERS, PASHINSKI, PETRI,
PICKETT, READSHAW, SCHRODER AND WATSON, MAY 24, 2007

REFERRED TO COMMITTEE ON EDUCATION, MAY 24, 2007

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for a prototypical school
6 facility design clearinghouse; and further providing for
7 approved reimbursable rental for certain leases and approved
8 reimbursable sinking fund charges on indebtedness.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
12 as the Public School Code of 1949, is amended by adding a
13 section to read:

14 Section 732.1. Prototypical School Facility Design
15 Clearinghouse.--(a) The Department of Education shall establish
16 a central clearinghouse of prototypical school facility designs
17 for access by any school entity that may want to use a prototype
18 design in the construction of school facilities. The Department
19 of Education shall compile necessary publications and a computer
20 database to make the information on prototype designs available

1 for review to school entities and the public at large.

2 (b) Design professionals registered in the Commonwealth may
3 submit plans for inclusion in the computer database that have
4 been submitted and approved by the Department of Education in
5 accordance with section 731. The original design professional of
6 record shall retain ownership of a prototype design.

7 Prototypical school facility designs submitted shall include
8 information that the Department of Education determines is
9 necessary and appropriate to facilitate this section.

10 (c) The Department of Education shall establish a grading
11 system to review and evaluate plans submitted pursuant to this
12 section using standards which promote the following:

13 (1) The use of design principles to achieve the highest
14 standards of health, safety, accessibility, environmental
15 protection and energy efficiency.

16 (2) The academic and technological needs of students.

17 (3) The use of cost-effective design and construction
18 techniques, including the use of straight-line, right-angle
19 design principles and avoiding the use of curved and
20 nonsymmetrical design.

21 (4) The use of design principles that allow for expansion of
22 school facilities to accommodate future growth in student
23 population.

24 (5) The use of durable materials in construction.

25 (6) The preservation of open space.

26 (d) The Department of Education shall adopt rules necessary
27 to implement this section.

28 (e) The Legislative Budget and Finance Committee shall
29 conduct a study of the Department of Education's clearinghouse
30 and determine the savings incurred by school entities that have

sought access to the clearinghouse. The study shall be conducted at the conclusion of the fifth year the clearinghouse is accessible to school entities, shall include participation since inception and shall be presented within six (6) months of the period studied to the chairman of the Education Committee of the Senate and the chairman of the Education Committee of the House of Representatives.

(f) As used in this section, the term "school entity" means a school district, intermediate unit, area vocational-technical school or charter school operating within this Commonwealth under provisions of this act.

Section 2. Section 2574(b)(1) and (c) introductory paragraph and (1) of the act, added March 22, 1956 (1955 P.L.1315, No.417), are amended to read:

Section 2574. Approved Reimbursable Rental for Leases Hereafter Approved and Approved Reimbursable Sinking Fund Charges on Indebtedness.--* * *

(b) For new school buildings the approved building construction cost shall be the lesser of

(1) The cost of constructing the school buildings including the cost of essential fixtures and equipment and the cost of employing a construction manager to oversee the new school construction but excluding architect's fees in excess of six per cent (6%) of the contract price, or

* * *

(c) For additions [or], alterations or improvements, including, but not limited to, capital improvements, related to school safety to existing buildings approved building construction cost shall be the lesser of

(1) The cost of constructing the additions [or], alterations

1 or improvements, including, but not limited to, capital
2 improvements, related to school safety including the cost of
3 essential fixtures and equipment and the cost of employing a
4 construction manager to oversee the school additions or
5 alterations but excluding architect's fees in excess of six per
6 cent (6%) of the contract price, or

7 * * *

8 Section 3. This act shall take effect as follows:

9 (1) The addition of section 732.1 of the act shall take
10 effect in 180 days.

11 (2) The amendment of section 2574 of the act shall take
12 effect in 60 days.

13 (3) This section shall take effect immediately.