

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 2050 Session of  
2014

---

INTRODUCED BY SANTARSIERO, MCCARTER, COHEN, PASHINSKI, ROEBUCK,  
BROWNLEE, ROZZI, DAVIS, KIRKLAND, BISHOP, DeLUCA, PAINTER AND  
FRANKEL, FEBRUARY 18, 2014

---

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 18, 2014

---

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," in grounds and buildings, further  
6 providing for limitation on new applications for Department  
7 of Education approval of public school building projects;  
8 establishing Building Blocks PA and the Public School  
9 Facilities Financing Commission; and providing for the powers  
10 and duties of the commission.

11 The General Assembly of the Commonwealth of Pennsylvania  
12 hereby enacts as follows:

13 Section 1. Section 732.1(a) of the act of March 10, 1949  
14 (P.L.30, No.14), known as the Public School Code of 1949,  
15 amended July 9, 2013 (P.L.408, No.59), is amended to read:

16 Section 732.1. Limitation on New Applications for Department  
17 of Education Approval of Public School Building Projects.--(a)  
18 For the 2012-2013 fiscal year [and the 2013-2014 fiscal year],  
19 the Department of Education shall not accept or approve new  
20 school building construction or reconstruction project  
21 applications. Completed school building construction or

1 reconstruction project applications received by the Department  
2 of Education by October 1, 2012, are not subject to this  
3 provision.

4 \* \* \*

5 Section 2. The act is amended by adding an article to read:

6 ARTICLE VII-A

7 BUILDING BLOCKS PA

8 Section 701-A. Definitions.

9 The following words and phrases when used in this article  
10 shall have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Building Blocks PA." The program through which the  
13 department approves and provides for Commonwealth reimbursement  
14 of school construction projects, formerly known as PlanCon.

15 "Commission." The Public School Facilities Financing  
16 Commission established by this article.

17 "Department." The Department of Education of the  
18 Commonwealth.

19 "PlanCon." The department's Planning and Construction  
20 Workbook.

21 Section 702-A. Establishment.

22 A program to be known as Building Blocks PA is established in  
23 the department.

24 Section 703-A. Powers and duties of the department.

25 The department shall have the following powers and duties  
26 with regard to Building Blocks PA:

27 (1) To set educational and construction standards  
28 applicable to a building project to determine whether the  
29 project is eligible for reimbursement.

30 (2) To limit the frequency of an application for school

1 construction reimbursement based on the amount of time since  
2 a building was constructed or the time since the bid opening  
3 date of the previous reimbursable project, provided that a  
4 school building construction or reconstruction project  
5 application for any of the following purposes shall not be  
6 subject to frequency limitations:

7 (i) A technological improvement project.

8 (ii) A school health and safety improvement project.

9 (iii) An emergency repair as a result of storm-  
10 related damage or other damage related to an act of God.

11 (iv) An energy efficiency improvement project.

12 (v) A project to attain certification under the  
13 United States Green Building Council's Leadership in  
14 Energy and Environmental Design Green Building Rating  
15 System or the Green Building Initiative's Green Globes  
16 Green Building Rating System.

17 (3) To consider requests for variances from any  
18 frequency or valuation limitations to allow for the  
19 reimbursement of alteration or renovation costs for a  
20 building or project.

21 Section 704-A. Wages.

22 A new school building construction or reconstruction project  
23 approved by the department for reimbursement under this article  
24 shall comply with the provisions of the act of August 15, 1961  
25 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage  
26 Act.

27 Section 705-A. Applications.

28 For the 2014-2015 fiscal year and thereafter, a new school  
29 building construction or reconstruction project application  
30 shall include documentation that each contractor or firm

1 performing work participates in an active apprenticeship program  
2 which is currently registered with and approved by the United  
3 States Department of Labor or the Pennsylvania Apprenticeship  
4 and Training Council for each separate trade or classification  
5 for which it is performing work on that project and which has an  
6 apprentice currently registered or graduated within the previous  
7 12 months.

8 Section 706-A. Financing.

9 School construction reimbursements shall be calculated and  
10 distributed under Article XXV. The total amount of  
11 reimbursements awarded shall be limited to funds appropriated  
12 for this purpose. Applications for reimbursement shall be filed  
13 in accordance with procedures developed by the department.

14 Section 707-A. Public School Facilities Financing Commission.

15 (a) Establishment.--The Public School Facilities Financing  
16 Commission is established and shall review and make  
17 recommendations related to public school facilities' financing  
18 as provided in this section.

19 (b) Membership.--

20 (1) The commission shall consist of the following  
21 members:

22 (i) The chair and minority chair of the Education  
23 Committee of the Senate and the chair and minority chair  
24 of the Education Committee of the House of  
25 Representatives, or their designees.

26 (ii) Two legislators from each of the four  
27 legislative caucuses, to be appointed by the President  
28 pro tempore of the Senate and the Speaker of the House of  
29 Representatives, in consultation with the Majority and  
30 Minority Leaders of the Senate and the Majority and

1 Minority Leaders of the House of Representatives.

2 (iii) The Secretary of Education, or a designee.

3 (iv) The Executive Director of the State Public  
4 School Building Authority, or a designee.

5 (v) The State Treasurer, or a designee.

6 (2) The commission shall appoint a member to serve as  
7 chair of the commission.

8 (c) Meetings.--

9 (1) The commission shall hold its first meeting within  
10 30 days of the effective date of this section, regardless of  
11 whether the Governor or all legislative caucuses have  
12 actually approved members to the commission.

13 (2) The commission shall hold meetings at the call of  
14 the chair.

15 (3) All meetings and public hearings of the commission  
16 shall be deemed public meetings for the purpose of 65 Pa.C.S.  
17 Ch. 7 (relating to open meetings).

18 (4) A majority of the members of the commission shall  
19 constitute a quorum. If fewer than a majority are present at  
20 any meeting, no business shall be transacted at the meeting.

21 (d) Reimbursement of expenses.--The members may not receive  
22 compensation for their services, but shall be reimbursed for all  
23 necessary travel and other reasonable expenses incurred in  
24 connection with the performance of their duties as members of  
25 the commission.

26 (e) Administration.--The General Assembly shall provide  
27 administrative support, meeting space and any other assistance  
28 required by the commission to carry out its duties under this  
29 section in cooperation with the department. The department shall  
30 provide the commission with data, research and other information

1 upon request by the commission.

2 (f) Powers and duties.--The commission shall have the  
3 following powers and duties:

4 (1) Consult with and utilize experts to assist in  
5 carrying out the duties under this subsection.

6 (2) Hold public hearings in different regions of this  
7 Commonwealth.

8 (3) Review and make findings and recommendations related  
9 to funding public school facilities in this Commonwealth, to  
10 include all of the following:

11 (i) Analysis of the preliminary study under section  
12 732.1(b).

13 (ii) The impact of and financing considerations  
14 relating to green building, energy efficiency, school  
15 safety and technological improvement projects.

16 (iii) Historical trends in funding public school  
17 facilities in this Commonwealth.

18 (iv) The capacity of Building Blocks PA to meet  
19 existing capital needs.

20 (v) The ability of Building Blocks PA to meet  
21 anticipated future capital needs.

22 (vi) Other financial vehicles to meet current and  
23 future capital needs, including, but not limited to,  
24 bonds.

25 (vii) The role of the State Public School Building  
26 Authority and Pennsylvania Higher Educational Facilities  
27 Authority in funding school facilities to include  
28 recommendations relating to restructuring or expanding  
29 the duties of these entities.

30 (4) Review and consider methods used in other states to

1 finance public school facilities.

2 (5) Issue a report of its findings and recommendations  
3 to the Governor, the President pro tempore of the Senate, the  
4 Majority Leader and Minority Leader of the Senate, the  
5 Education Committee of the Senate, the Speaker of the House  
6 of Representatives, the Majority Leader and Minority Leader  
7 of the House of Representatives, the Education Committee of  
8 the House of Representatives, the Secretary of Education and  
9 the State Public School Building Authority within 120 days of  
10 the first meeting or September 30, 2014, whichever is later.

11 (g) Continuation of commission.--Every ten years the  
12 commission shall be reconstituted in accordance with subsection  
13 (c), shall meet and hold public hearings to review the  
14 provisions of this section and shall issue a report to the  
15 recipients listed in subsection (f) (5).

16 Section 708-A. Regulations.

17 The Secretary of Education shall propose regulations for  
18 promulgation by the State Board of Education to implement the  
19 provisions of this article.

20 Section 3. This act shall take effect immediately.