

(B) THIS SECTION APPLIES TO THE CONSTRUCTION OF NEW SCHOOLS THAT HAVE NOT INITIATED A REQUEST FOR PROPOSAL FOR THE SELECTION OF AN ARCHITECTURAL AND ENGINEERING CONSULTANT ON OR BEFORE JULY 1, 2009.

(C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A NEW SCHOOL THAT RECEIVES STATE PUBLIC SCHOOL CONSTRUCTION FUNDS SHALL BE CONSTRUCTED TO BE A HIGH PERFORMANCE BUILDING.

(D) (1) THE BOARD OF PUBLIC WORKS SHALL ESTABLISH A PROCESS TO ALLOW A SCHOOL SYSTEM TO OBTAIN A WAIVER FROM COMPLYING WITH SUBSECTION (C) OF THIS SECTION.

(2) THE WAIVER PROCESS SHALL:

(I) INCLUDE A REVIEW BY THE INTERAGENCY COMMITTEE TO DETERMINE IF THE CONSTRUCTION OF A HIGH PERFORMANCE BUILDING IS NOT PRACTICABLE; AND

(II) REQUIRE THE APPROVAL OF A WAIVER BY THE INTERAGENCY COMMITTEE.

(E) FOR FISCAL YEARS 2010 THROUGH 2014 ONLY, THE STATE SHALL PAY 50% OF THE LOCAL SHARE OF THE EXTRA COSTS, IDENTIFIED AND APPROVED BY THE INTERAGENCY COMMITTEE, THAT ARE INCURRED IN CONSTRUCTING A NEW SCHOOL TO MEET THE HIGH PERFORMANCE BUILDING REQUIREMENTS OF THIS SECTION.

(F) THE BOARD OF PUBLIC WORKS SHALL ADOPT REGULATIONS TO IMPLEMENT THE REQUIREMENTS OF THIS SECTION.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall apply to capital projects that have not initiated a Request For Proposal for the selection of an architectural and engineering consultant on or before the effective date of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2008.

Approved by the Governor, April 24, 2008.