

18A:18A-16.1

LEGISLATIVE HISTORY CHECKLIST
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(School facilities--
construction standards)

NJSA: 18A:18A-16.1

LAWS OF: 1995 **CHAPTER:** 68

BILL NO: S496

SPONSOR(S): Martin

DATE INTRODUCED: January 31, 1995

COMMITTEE: **ASSEMBLY:** ---
SENATE: ---

AMENDED DURING PASSAGE: Yes Amendments during passage
Second reprint enacted denoted by superscript numbers

DATE OF PASSAGE: **ASSEMBLY:** December 15, 1994
SENATE: September 19, 1994

DATE OF APPROVAL: April 10, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE: *Also included: Assembly*

SPONSOR STATEMENT: Yes *Floor amendment with*

COMMITTEE STATEMENT: **ASSEMBLY:** ~~No~~ *statement*

SENATE: ~~No~~ *Yes*

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

[SECOND REPRINT]

SENATE, No. 496

STATE OF NEW JERSEY

INTRODUCED JANUARY 31, 1994

By Senators MARTIN, MacInnes, Matheussen,
Assemblywoman Wright, Assemblymen Wolfe, Corodemus,
Rocco, Garcia and Assemblywoman Crecco

1 AN ACT concerning construction standards for school buildings
2 ²[and] ² supplementing chapter 18A of Title 18A of the New
3 Jersey Statutes ²and P.L.1975, c.217 (C.52:27D-119 et seq.)².

4
5 BE IT ENACTED *by the Senate and General Assembly of the*
6 *State of New Jersey:*

7 1. The State Board of Education shall adopt no regulation or
8 policy which requires as a condition for approval of plans and
9 specifications for the erection, alteration, improvement or repair
10 of a public school facility² [:

11 a.]² capacity requirements which exclude space occupied by
12 movable furniture, equipment and other items when calculating
13 net square footage² [;

14 b. refurbishment of a school facility based upon an automatic
15 threshold, involving percentage increases in square footage or the
16 relative costs of the building addition, beyond that necessary to
17 meet the requirements of the appropriate building code ¹[in
18 effect at the time the building was constructed] which directly
19 impact on the health and safety of the students¹; or

20 c. refurbishment of a newly reopened school facility beyond
21 that necessary to meet the requirements of the appropriate
22 building code which directly impact on the health and safety of
23 the students]².

24 22. The Commissioner of the Department of Community
25 Affairs, in consultation with the State Board of Education, is
26 directed to develop a building code specifically designed to foster
27 cost-effective school building construction, while ensuring
28 through its provisions that necessary health and safety
29 requirements are met. The code shall be designed for use
30 throughout the State and shall supplement the State Uniform
31 Construction Code, P.L.1975, c.217 (C.52:27D-119 et seq.). The
32 commissioner may promulgate this code as a separate document
33 from the State Uniform Construction Code, or may, if the
34 commissioner finds it feasible and useful, incorporate its
35 provisions directly into, and make them an integral part of, that
36 code.²

37 23. The code adopted by the Commissioner of Community
38 Affairs pursuant to section 2 of this act shall not require as a
39 condition for approval of plans and specifications for the
40 erection, alteration, improvement or repair of a public school
41 facility:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SED committee amendments adopted May 5, 1994.

² Assembly floor amendments adopted December 1, 1994.

1 a. refurbishment of a school facility based upon an automatic
2 threshold, involving percentage increases in square footage or the
3 relative costs of the building addition, beyond that necessary to
4 meet the requirements of the appropriate building code which
5 directly impact on the health and safety of students; or

6 b. refurbishment of a newly reopened school facility beyond
7 that necessary to meet the requirements of the appropriate
8 building code which directly impact on the health and safety of
9 the students.²

10 ²[2.] 4.² This act shall take effect immediately.

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15 Provides that State Board of Education shall not require certain
16 standards to be met as condition for approval of school facilities
17 plans and directs Commissioner of Community Affairs to develop
18 a building code specific to school buildings.

SENATE, No. 496
STATE OF NEW JERSEY

INTRODUCED JANUARY 31, 1994

By Senator MARTIN

1 AN ACT concerning construction standards for school buildings
2 and supplementing chapter 18A of Title 18A of the New Jersey
3 Statutes.

4

5 BE IT ENACTED *by the Senate and General Assembly of the*
6 *State of New Jersey:*

7 1. The State Board of Education shall adopt no regulation or
8 policy which requires as a condition for approval of plans and
9 specifications for the erection, alteration, improvement or repair
10 of a public school facility:

11 a. capacity requirements which include movable furniture,
12 equipment and other items when calculating net square footage;

13 b. refurbishment of a school facility based upon an automatic
14 threshold, involving percentage increases in square footage or the
15 relative costs of the building addition, beyond that necessary to
16 meet the requirements of the appropriate building code in effect
17 at the time the building was constructed; or

18 c. refurbishment of a newly reopened school facility beyond
19 that necessary to meet the requirements of the appropriate
20 building code in effect at the time the building was constructed.

21 2. This act shall take effect immediately.

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STATEMENT

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26 This bill prohibits the State Board of Education from requiring
27 as a condition for obtaining approval of plans and specifications
28 for the erection, alteration, improvement or repair of a public
29 school facility (1) capacity requirements which include such items
30 as movable furniture and equipment; (2) refurbishment of a school
31 building based upon an automatic trigger beyond that necessary
32 to meet the requirements of the appropriate building code in
33 effect at the time the building was constructed; or (3) complete
34 refurbishment of a newly reopened existing school building
35 beyond that necessary to meet the requirements of the
36 appropriate building code in effect at the time the building was
37 constructed.

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42 Provides that State Department of Education shall not require
43 certain standards to be met as condition for approval of plans for
44 the construction or refurbishment of school facilities.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 496

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 5, 1994

The Senate Education Committee favorably reports Senate Bill No. 496 with committee amendments.

As amended, this bill prohibits the State Board of Education from requiring as a condition for obtaining approval of plans and specifications for the erection, alteration, improvement or repair of a public school facility (1) capacity requirements which exclude space occupied by such items as movable furniture and equipment in the calculation of net square footage; (2) refurbishment of a school building based upon an automatic trigger beyond that necessary to meet the requirements of the appropriate building code in effect at the time the building was constructed; or (3) complete refurbishment of a newly reopened existing school building beyond that necessary to meet the requirements of the appropriate building code which directly impact on the health and safety of the students.

The committee amended the bill to clarify the prohibition against certain regulations which specify capacity requirements in the calculation of net square footage and which specify the requirements of the building code for the refurbishment of a newly reopened school facility.



Assembly Amendments
(Proposed by Assemblywoman Wright & Assemblyman Wolfe)

to

SENATE, No. 496 (1R)

(Sponsored by Senator MARTIN)

REPLACE TITLE TO READ:

AN ACT concerning construction standards for school buildings
2[and] 2 supplementing chapter 18A of Title 18A of the New
Jersey Statutes 2and P.L.1975, c.217 (C.52:27D-119 et seq.)2.

REPLACE SECTION 1 TO READ:

1. The State Board of Education shall adopt no regulation or
policy which requires as a condition for approval of plans and
specifications for the erection, alteration, improvement or repair
of a public school facility2 [:

a.]2 capacity requirements which exclude space occupied by
movable furniture, equipment and other items when calculating
net square footage2 [;

b. refurbishment of a school facility based upon an automatic
threshold, involving percentage increases in square footage or the
relative costs of the building addition, beyond that necessary to
meet the requirements of the appropriate building code 1[in
effect at the time the building was constructed] which directly
impact on the health and safety of the students1; or

c. refurbishment of a newly reopened school facility beyond
that necessary to meet the requirements of the appropriate
building code which directly impact on the health and safety of
the students]2.

INSERT NEW SECTIONS 2 AND 3 TO READ:

2. The Commissioner of the Department of Community
Affairs, in consultation with the State Board of Education, is
directed to develop a building code specifically designed to foster
cost-effective school building construction, while ensuring
through its provisions that necessary health and safety
requirements are met. The code shall be designed for use
throughout the State and shall supplement the State Uniform
Construction Code, P.L.1975, c.217 (C.52:27D-119 et seq.). The
commissioner may promulgate this code as a separate document
from the State Uniform Construction Code, or may, if the
commissioner finds it feasible and useful, incorporate its
provisions directly into, and make them an integral part of, that
code.

3. The code adopted by the Commissioner of Community
Affairs pursuant to section 2 of this act shall not require as a
condition for approval of plans and specifications for the
erection, alteration, improvement or repair of a public school
facility:

a. refurbishment of a school facility based upon an automatic
threshold, involving percentage increases in square footage or the
relative costs of the building addition, beyond that necessary to
meet the requirements of the appropriate building code which
directly impact on the health and safety of students; or

b. refurbishment of a newly reopened school facility beyond that necessary to meet the requirements of the appropriate building code which directly impact on the health and safety of the students.²

RENUMBER SECTION 2 AS SECTION 4

REPLACE SYNOPSIS TO READ:

Provides that State Board of Education shall not require certain standards to be met as condition for approval of school facilities plans and directs Commissioner of Community Affairs to develop a building code specific to school buildings.

STATEMENT

These amendments direct that the Commissioner of the Department of Community Affairs, in consultation with the State Board of Education, develop a building code designed to foster cost-effective school building construction, while ensuring that health and safety requirements are met. The code shall be designed for use throughout the State and shall supplement the State Uniform Construction Code. The bill stipulates that the code adopted by the commissioner shall not require as a condition for the approval of construction plans and specifications of a public school facility either: a. refurbishment of a school facility based upon an automatic threshold, involving percentage increases in square footage or the relative costs of the building addition, beyond that necessary to meet the requirements of the appropriate building code which directly impact on the health and safety of students; or b. refurbishment of a newly reopened school facility beyond that necessary to meet the requirements of the appropriate building code which directly impact on the health and safety of students.

The bill in its original form had prohibited the State Board of Education from adopting any regulation or policy which would require either a. or b. as a condition for the approval of plans and specifications. However, the regulations governing a. and b. are actually regulations of the Department of Community Affairs promulgated in connection with the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq).