

MEMORANDUM No. 7

TO: Kentucky School Architects

FROM: Timothy K. Lucas
Planning Branch Manager, Division of Facilities Management

DATE: April 13, 2009

RE: School Project General Construction- House Bill 2

Several questions from Architects and Engineers concerning House Bill 2 have been forwarded to this office for review and comment. Since the adoption of this bill by the General Assembly, KDE has had their legal staff review the ramifications to P-12 school buildings in the Commonwealth and they have concluded that P-12 facilities under the administration of the Kentucky Department of Education are exempt from the requirements of House Bill 2;

House Bill 2 states;

- Section 1. KRS 56.772 is amended to read as follows:
The General Assembly finds and declares it to be the public policy of the Commonwealth to maximize the use of energy efficiency measures in the construction, renovation, and maintenance of buildings owned or leased by the Commonwealth¹. In furtherance of this policy, the cabinet² shall administer an energy efficiency program, to be known as the Energy Efficiency Program for State Government Buildings.
 - 1) P-12 facilities under the administration of the Kentucky Department of Education are owned or leased by the individual districts in which the facilities are located.
 - 2) The definition of “Cabinet” means the “Finance and Administration Cabinet”. The P-12 facilities in the Commonwealth are, with a few exceptions, under the administration of the Education Cabinet.

Our exemption from these requirements does not lessen our commitment to energy efficient design. In our review of all new buildings and major renovations, we encourage our districts and design teams to consider at least Energy Star design guidelines. We understand that some of these options will require a greater time commitment from the designers and districts. We would urge the Architects and Engineers to discuss these issues frankly with their clients and if additional fees are required, these should be negotiated as additional services at the beginning of the project.

If you have any questions, please do not hesitate to contact me at 502-564-4326.

C: Larry Stinson, Mark Ryles, David Bryant, Gary Leist, Eileen Hardy, Kim Grote, Bill Wallace, Rex Cecil, David Samokar, Ehmet Hayes, Jim Ivey, Keith Sharp, Larry Schwering, Matt Brooks, Mike Sparkman, Margie Jacobs, Susan Hill, Andy Piaskowy, Ralph Cooper, Martha Tarrant, Ron Murrell, Fran Scott, Scott Klausing, Joe Jones, Rob Deal, Gary Scott, Stan Voelker, Joe Turley, Bill Richardson, Rick Echoff, Mike Smith, Kevin Cheek, Kenny Stanfield, Timothy A. Murphy, Kim Hazelwood, Larry Gream, Todd Castleberry, Jeff Pearson, Maurine Peters, Shane Lyle, Herb Shulhafer, Judd Hubburd, John Thorne, Dan Roll, Gayle McGregor, McCulloch Arch., Greg Winn, Jack Stewart, Paul Ochenkoski, Vic Camm, John Fisk, Larry Adams, Correspondence File, Planning File
