

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Environmental Preservation and Conservation Committee

BILL: SB 562

INTRODUCER: Senator Constantine

SUBJECT: Building Standards for Educational Facilities

DATE: March 28, 2008 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Branning	Kiger	EP	Favorable
2.			ED	
3.			EA	
4.				
5.				
6.				

I. Summary:

The bill requires each new educational facility and each renovation of an educational facility which costs more than \$100,000 to achieve certain specified green building standards. This bill does not apply to a facility if the school or university board approves the design for the construction or renovation before July 1, 2009.

This bill creates, s. 1013.375, F.S.

II. Present Situation:

Section 1013.23, F.S., states that the Legislature finds that investment in energy conservation measures in educational facilities can reduce the amount of energy consumed and produce immediate and long-term savings. It is the policy of this state to encourage school districts, community colleges, and state universities to invest in energy conservation measures that reduce energy consumption, produce a cost savings, and improve the quality of indoor air in facilities, and, when economically feasible, to build, operate, maintain, or renovate educational facilities in such a manner so as to minimize energy consumption and maximize energy savings. It is further the policy of this state to encourage school districts, community colleges, and state universities to reinvest any energy savings resulting from energy conservation measures into additional energy conservation efforts.

“Educational facilities” as defined in s. 1013.01, F.S., means the buildings and equipment, structures, and special educational use areas that are built, installed, or established to service primarily the educational purposes and secondarily the social and recreational purposes of the

community which may lawfully be used as authorized by the Florida Statutes and approved by the boards.

The U.S. Green Building Council (USGBC) is a national nonprofit building industry organization that promotes environmentally friendly building practices. The USGBC consists of 7,500 member organizations and 75 regional chapters. The core purpose of the organization is to transform the way buildings and communities are designed, built and operated, enabling an environmentally and socially responsible, healthy, and prosperous environment that improves the quality of life.¹ There are four USGBC chapters in Florida.²

The Leadership in Energy and Environmental Design (LEED) building rating system was developed by the USGBC. According to the organization, it is the nationally accepted benchmark for the design, construction, and operation of high performance green buildings.³ The rating system measures a building's environmental performance in five categories:

- Sustainable site development;
- Water savings;
- Energy efficiency;
- Materials selection, and
- Indoor environmental quality.

Each category consists of various subtopics. Each subtopic is assigned a point value. A building is rated based on its total number of points and assigned one of four progressive certification levels: "certified," "silver," "gold," and "platinum."⁴ The LEED for Schools rating system addresses issues such as classroom acoustics, master planning, and mold prevention in K-12 schools.⁵

The Green Building Initiative™ (GBI) was originally conceived as a way to bring green building into the mainstream by helping local Home Builder Associations (HBAs) develop green building programs modeled after the National Association of Home Builders' (NAHB) Model Green Home Building Guidelines.⁶ This initiative has its roots in Canada.

In 2004, the GBI acquired the rights to distribute Green Globes rating system in the United States. The GBI has committed to continually refining the system to ensure that it reflects changing opinions and ongoing advances in research and technology, and, in so doing, to involve multiple stakeholders in an open and transparent process.

¹ U.S. Green Building Council, About USGBC available at <http://www.usgbc.org/DisplayPage.aspx?CategoryID=1>.

² U.S. Green Building Council, Chapters available at <http://www.usgbc.org/Chapters/ChapterList.aspx?CMSPageID=&190&CategoryID=24&>.

³ U.S. Green Building Council, Leadership in Energy and Environmental Design available at <http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>.

⁴ <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=227>

⁵ <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=1586> and see LEED for Schools for New Construction and Renovation available at <http://www.usgbc.org/ShowFile.aspx?DocumentID=1753>

⁶ <http://www.thegbi.org/gbi/originandstatus.asp>

In 2005, GBI became the first green building organization to be accredited as a standards developer by the American National Standards Institute (ANSI), and began the process of establishing Green Globes as an official ANSI standard.⁷

The Green Globes ratings range from one Green Globe to four Green Globes. The ratings are based on a questionnaire completed by the person seeking the rating. However, buildings cannot be promoted as having achieved a Green Globes rating until the information submitted has been verified by a qualified third party.⁸ Four Globes is the highest rating and is reserved for select building designs which serve as national or world leaders in energy and environmental performance.

III. Effect of Proposed Changes:

This bill creates s. 1013.375, F.S., to provide that each educational facility, and each renovation of an educational facility which costs more than \$100,000, must achieve, at a minimum, a LEED silver-level certification or a two-globe rating in the Green Globe rating system. This provision does not apply to a facility if the board⁹ approves the design for the construction or renovation before July 1, 2009.

This bill would take effect July 1, 2008.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

⁷ <http://www.thegbi.org/greenglobes/history.asp>

⁸ <http://www.thegbi.org/greenglobes/verifiedrating.asp>

⁹ Board is defined in s. 1013.01, F.S., to mean a district school board, a community college board of trustees, a university board of trustees, and the Board of Trustees for the Florida School for the Deaf and the Blind. The term does not include the State Board of Education or the Board of Governors.

C. Government Sector Impact:

Initial construction costs for green schools may be higher than the costs to build schools using traditional methods. However, a green school's increased energy efficiency and reduced energy consumption may result in long term operational cost savings to school districts.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.