

Bill No. CS for SB 2136

Barcode 642228

CHAMBER ACTION

Senate

House

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Comm: RCS
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The Committee on Environmental Preservation and Conservation
(Dockery) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Section 1013.441, Florida Statutes, is
created to read:

1013.441 Green Schools Pilot Project.--

(1) The Legislature finds that it is cost-effective
and healthy for the public and the environment to build
schools that maximize low-water usage and incorporate energy
efficiencies, renewable energy, and recycling technologies
into the construction of schools. Therefore, the Green Schools
Pilot Project is established for selected school districts for
the purpose of incorporating the Leadership in Energy and
Environmental Design (LEED) silver-level or the Green Globes
two-globe rating or better building-certification standards
into every new educational building construction project and,
when feasible, every educational building renovation project.

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1 (2) LEED building certification standards are defined
 2 by the United States Green Building Council and the Green
 3 Globes certification standards are defined by the Green
 4 Building Initiative. Both standards address the total effect
 5 that new buildings have on the environment so as to maximize
 6 energy efficiency and to minimize adverse effects on the
 7 environment.

8 (3) For purposes of this section, the term "additional
 9 costs" means the expenditures that are necessary to build a
 10 complete school to LEED silver-level or Green Globes two-globe
 11 or better building-certification standards but that exceed the
 12 expenditures necessary to build a complete school in
 13 compliance with this chapter. Such additional costs may
 14 include, but are not limited to, registration and
 15 certification fees charged for certification of the school to
 16 LEED silver-level or Green Globes two-globe or better
 17 building-certification standards.

18 (4)(a) The Department of Education, in consultation
 19 with the Florida Energy Office, shall develop by August 1,
 20 2007, an application process for school districts to
 21 participate in the pilot project. Three school districts shall
 22 be selected by the State Board of Education by January 1,
 23 2008, to participate in the pilot project. One school district
 24 shall be in a county having a population of 1 million or more
 25 residents; one school district shall be in a county having a
 26 population of 250,000 to 999,999 residents; and one school
 27 district shall be in a county having a population of fewer
 28 than 250,000 residents. School districts selected to
 29 participate in the pilot project shall, to the greatest extent
 30 possible, represent geographically different regions of the
 31 state.

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1 (b) At a minimum, each school district selected by the
2 State Board of Education to participate in the pilot project
3 must:

4 1. Demonstrate that it implements sound financial
5 management practices by producing documentation that indicates
6 that the school district for the preceding 3 years has had no
7 material weaknesses or instances of material noncompliance
8 noted in its annual audits required under s. 218.39.

9 2. Engage a design team that has demonstrated
10 knowledge and experience in high-performance green building
11 construction.

12 3. Commit to building at least one complete school to
13 LEED silver-level or Green Globes two-globe or better
14 building-certification standards. A school built to such
15 building-certification standards shall be designated as a
16 "Green School."

17 (c) When selecting school districts to participate in
18 the pilot project, evaluation criteria implemented by the
19 State Board of Education may include, but need not be limited
20 to, school districts that demonstrate a high percentage of
21 environmentally inefficient schools or school districts that
22 propose innovative methods for improving water savings, energy
23 efficiency, or indoor environmental quality.

24 (5)(a) From funds appropriated for the Green Schools
25 Pilot Program, the department shall distribute to each
26 participating school district an amount sufficient to fund the
27 additional costs required to build one complete school to LEED
28 silver-level or Green Globes two-globe or better
29 building-certification standards.

30 1. If appropriated funds are insufficient to fund the
31 total of additional costs required to build three complete

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1 schools to LEED silver-level or Green Globes two-globe or
2 better building-certification standards, the department shall
3 prorate funds available and make distributions based on the
4 ratio of each school's additional costs relative to the total
5 of additional costs for the three schools.

6 2. If appropriated funds remain after the
7 distribution, such funds may be distributed by the department
8 to one or more of the participating school districts to fund
9 the additional costs required to build other new schools or to
10 renovate existing schools to LEED silver-level or Green Globes
11 two-globe or better building-certification standards.

12 (b) Participating school districts must annually
13 report to the department the expenditure of funds received
14 under paragraph (a). The reports must be open to inspection
15 and examination by the Auditor General. A participating school
16 district must return to the department:

17 1. Any funds found by the Auditor General to have been
18 improperly expended.

19 2. Funds received under paragraph (a) for the
20 construction or renovation of a school if LEED silver-level or
21 Green Globes two-globe certification or better is not obtained
22 for the school within 1 year after its completion.

23 (c) Notwithstanding s. 216.301 and pursuant to s.
24 216.351, undisbursed balances of appropriations for the Green
25 Schools Pilot Program do not revert to the General Revenue
26 Fund but shall be retained by the department to be used for
27 purposes of this section.

28 (6) Each participating school district shall deliver
29 to the Governor, the President of the Senate, the Speaker of
30 the House of Representatives, and the Commissioner of
31 Education a report on the effects Green Schools have had on

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1 student performance and health, operational costs, energy
 2 consumption, and the environment in the district. This report
 3 shall be submitted by July 1 of the year after a Green School
 4 has been in full operation for 3 years.

5 Section 2. For the 2007-2008 fiscal year, the sum of
 6 \$3.5 million in nonrecurring funds is appropriated from the
 7 Public Education Capital Outlay and Debt Service Trust Fund to
 8 the Department of Education for the purpose of funding the
 9 additional costs required for the new construction of three
 10 complete schools to LEED silver-level or Green Globes
 11 two-globe or better building-certification standards under the
 12 Green Schools Pilot Project.

13 Section 3. This act shall take effect July 1, 2007.
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16 ===== T I T L E A M E N D M E N T =====

17 And the title is amended as follows:

18 Delete everything before the enacting clause
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20 and insert:

21 A bill to be entitled
 22 An act relating to education facilities;
 23 creating s. 1013.441, F.S.; establishing the
 24 Green Schools Pilot Project to enable selected
 25 school districts to comply with certain
 26 building-certification standards; defining the
 27 term "additional costs"; providing for an
 28 application and selection process for
 29 participation in the pilot project; providing
 30 requirements for school districts to
 31 participate; providing for evaluation criteria

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1 that may be used during the selection process;
2 providing for the distribution of funds by the
3 Department of Education; providing for prorated
4 distribution of funds under specified
5 circumstances; providing authority to
6 distribute excess funds for specified purposes;
7 requiring the reporting of expenditures by
8 participating school districts; authorizing
9 inspection and evaluation of the reports by the
10 Auditor General; providing for the return of
11 improperly expended funds and of specified
12 funds if a constructed or renovated school
13 fails to achieve specified certification
14 standards; providing that appropriated funds do
15 not revert to the General Revenue Fund;
16 requiring a report by each participating school
17 district; providing an appropriation; providing
18 an effective date.

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