

By the Committee on Education Pre-K - 12; and Senator Constantine

581-2373-07

1 A bill to be entitled
2 An act relating to educational facilities;
3 creating s. 1013.441, F.S.; establishing the
4 Green Schools Pilot Project to enable selected
5 school districts to comply with certain
6 building certification standards; providing for
7 an application and selection process for
8 participation in the 3-year pilot project;
9 requiring a report; providing for the
10 disposition of undisbursed or improperly
11 expended funds; providing for annual
12 appropriations; providing an effective date.

14 Be It Enacted by the Legislature of the State of Florida:

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

18 1013.441 Green Schools Pilot Project.--

19 (1) The Legislature recognizes that it is both
20 cost-effective and healthy for citizens and the environment to
21 build schools that maximize low water usage and the use of
22 energy efficiencies, renewable energy, and recycling
23 technologies. As such, there is established the Green Schools
24 Pilot Project to create a program for selected school
25 districts to comply with Leadership in Energy and
26 Environmental Design (LEED) silver-level or better building
27 certification standards in every new educational building
28 construction project and, where feasible, educational building
29 renovation projects.

30 (2) LEED building certification standards are defined
31 by the U.S. Green Building Council and address the total

1 impact that new buildings have on the environment so as to
2 maximize their energy efficiency and to minimize their adverse
3 environmental impacts.

4 (3)(a) The Department of Education in consultation
5 with the Florida Energy Office shall develop by August 1,
6 2007, an application process for school districts to
7 participate in the pilot project. Three school districts shall
8 be selected by the State Board of Education by January 1,
9 2008, to participate in the pilot project. One school district
10 shall be in a county that has a population of 1 million or
11 more residents; one school district shall be in a county that
12 has a population of 250,000 to 999,999 residents; and one
13 school district shall be in a county that has a population of
14 fewer than 250,000 residents. School districts selected to
15 participate in the pilot project shall, to the greatest extent
16 possible, represent geographically different regions of the
17 state.

18 (b) At a minimum, each school district selected to
19 participate in the pilot project must:

20 1. Demonstrate that it implements sound financial
21 management practices.

22 2. Engage a design team having demonstrated knowledge
23 and experience in high-performance green building
24 construction.

25 3. Commit to building at least one complete school to
26 the LEED silver-level or better building certification
27 standards. Schools built to such building certification
28 standards shall be designated as "green schools."

29 (c) When selecting school districts to participate in
30 the pilot project, evaluation criteria implemented by the
31 State Board of Education may include, but are not limited to,

1 school districts that have a high percentage of
2 environmentally inefficient schools or school districts that
3 propose innovative methods to improve water savings, energy
4 efficiency, or indoor environmental quality.

5 (4)(a) From funds appropriated for the pilot program,
6 the department shall distribute to each participating school
7 district an amount sufficient to fund the additional costs
8 required to build one complete school to LEED silver-level or
9 better building certification standards. If funds remain after
10 the distribution, such funds may be distributed by the
11 department to one or more of the participating school
12 districts to fund the additional costs required to build other
13 new schools or to renovate existing schools to LEED
14 silver-level or better building certification standards.

15 (b) Participating school districts must annually
16 report to the department the expenditure of funds received
17 under paragraph (a) and the department must review the reports
18 to ensure that the funds were properly expended. A
19 participating school district must return to the department:

20 1. Any improperly expended funds.

21 2. Funds received under paragraph (a) for the
22 construction or renovation of a school if LEED silver-level
23 certification or better is not obtained for the school within
24 1 year after its completion.

25 (c) Notwithstanding s. 216.301 and pursuant to s.
26 216.351, undisbursed balances of appropriations for the pilot
27 program shall not revert to the General Revenue Fund but shall
28 be retained by the department to be used for the purposes of
29 this section.

30 (5) Each participating school district shall deliver
31 to the Governor, the President of the Senate, and the Speaker

1 of the House of Representatives a report of the effects the
2 pilot project has had on student performance and health,
3 operational costs, energy consumption, and the environment in
4 the district. This report shall be submitted by July 1 of the
5 year after a green school has been in full operation for 3
6 years.

7 Section 2. For the 2007-2008 fiscal year, the sum of
8 \$3.5 million is appropriated from the General Revenue Fund to
9 the Department of Education to fund the Green School Pilot
10 Project.

11 Section 3. This act shall take effect July 1, 2007.

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13 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
14 COMMITTEE SUBSTITUTE FOR
15 Senate Bill 2136

16 The committee substitute requires the selection of three
17 school districts to participate in the Green Schools Pilot
18 Project. The committee substitute:

- 18 -Provides additional selection criteria for the project;
19 -Requires each participating school district to commit to
20 building at least one green school and to provide project
21 status and expenditure reports;
22 -Requires participating school districts to meet silver-level
23 or higher Leadership in Energy and Environmental Design (LEED)
24 building certification standards;
25 -Appropriates \$3.5 million in General Revenue for FY 2007-2008
26 to the Department of Education to fund the pilot project;
27 -Provides for the retention of undisbursed funds and the
28 return of funds if a school fails to meet the certification
29 standards within 1 year after its completion;
30 -Deletes the specific implementation dates for the pilot
31 project; and
-Deletes the provision for an appropriation equal to three
percent of a participating school district's annual capital
projects budget for FY 2008-2009 through FY 2010-2011.