

Bill No. CS for CS for CS for SB 996 and CS for SB 2666

Barcode 755452

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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11 Senator Bennett moved the following amendment:

12

13 **Senate Amendment (with title amendment)**

14 On page 2, lines 10-11, delete those lines

15

16 and insert:

17 Section 36. (1) The Florida Public Service Commission
18 shall conduct a study in conjunction with the Florida Energy
19 Commission, the Department of Environmental Protection, and
20 the Department of Agriculture and Consumer Services to
21 recommend an appropriate renewable portfolio standard for the
22 state.

23 (2) The study shall include current and future
24 availability of renewable fuels, incentives to attract large
25 scale renewable energy development, proposed changes to
26 current regulatory and market practices to encourage renewable
27 energy development, the impact on utility costs and rates,
28 environmental benefits of a renewable portfolio standard, and
29 economic development associated with renewable energy in the
30 state.

31 (3) The Florida Public Service Commission shall hold

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1 public hearings on these and other related issues and submit a
2 report containing specific recommendations to the President of
3 the Senate and the Speaker of the House of Representatives by
4 January 1, 2008.

5 Section 37. (1) The Florida Public Service Commission
6 shall conduct a study in conjunction with the Florida Energy
7 Commission, the Department of Environmental Protection and the
8 Department of Agriculture to recommend the establishment of an
9 energy efficiency and solar energy initiative.

10 (2) The study shall include recommendations for the
11 administration, design, implementation, and ongoing
12 measurement and evaluation of programs that promote energy
13 efficiency and conservation activities and market
14 transformation efforts for solar energy technologies through a
15 public benefits fund. The study shall include incentives for
16 investment in energy efficiency and customer-sited solar
17 energy systems, suggest changes to current regulatory and
18 market practice to encourage solar energy and energy
19 efficiency investment in residential and commercial
20 applications, including standards for net metering and
21 interconnection.

22 (3) The Florida Public Service Commission will hold
23 public hearings on these issues and submit a report containing
24 specific recommendations to the President of the Senate and
25 the Speaker of the House of Representatives by January 1,
26 2008.

27 Section 38. The Florida Public Service Commission
28 shall submit to the President of the Senate and the Speaker of
29 the House of Representatives by February 28, 2008, a report
30 that provides a detailed description of the methods used to
31 evaluate the conservation goals, plans, and programs of

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1 utilities subject to the Florida Energy Efficiency and
2 Conservation Act. The commission shall compare methods and
3 policies employed in other states that could be implemented to
4 ensure that utilities in this state acquire all energy
5 efficiency resources that cost less than new electric power
6 generation. As used in the section, the term "energy
7 efficiency resources" means a reduction in kilowatt hours used
8 by the existing and emerging fleet of buildings and equipment
9 in this state that is achieved by providing incentives to
10 producers, distributors, sellers, or consumers that promote
11 the development of and investment in energy-efficient
12 technologies.

13 Section 39. (1) The Department of Agriculture and
14 Consumer Services shall conduct a study in conjunction with
15 the Department of Environmental Protection and Enterprise
16 Florida, Inc., to recommend an appropriate Florida Loan
17 Guarantee Program for cellulosic ethanol and biodiesel
18 facilities developed in the state.

19 (2) The Department of Agriculture and Consumer
20 Services shall submit a report containing specific
21 recommendations to the President of the Senate and the Speaker
22 of the House of Representatives no later than January 1, 2008.

23 Section 40. The Department of Community Affairs shall
24 convene a workgroup comprised of representatives of the
25 Florida Building Commission, the Florida Energy Commission,
26 the Florida Energy Office, consumers, and affected industries
27 to identify and review new or updated energy conservation
28 standards for products that consume electricity, including,
29 but not limited to, residential pool pumps, pool heaters,
30 spas, and commercial and residential appliances. The workgroup
31 shall identify efficiency improvements that could be

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1 anticipated by implementation of new standards and the
2 anticipated costs of implementing and enforcing the standards
3 and shall further consider methods and processes for the
4 regular review of new standards and implementation, if
5 warranted. No later than March 1, 2008, the department shall
6 report to the President of the Senate and Speaker of the House
7 of Representatives on findings of the workgroup together with
8 any recommended statutory changes required to implement those
9 findings.

10 Section 41. Section 1013.441, Florida Statutes, is
11 created to read:

12 1013.441 Green Schools Pilot Project.--

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

24 (2) LEED building certification standards are defined
25 by the United States Green Building Council and the Green
26 Globes certification standards are defined by the Green
27 Building Initiative. Both standards address the total effect
28 that new buildings have on the environment so as to maximize
29 energy efficiency and to minimize adverse effects on the
30 environment.

31 (3) For purposes of this section, the term "additional

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1 costs" means the expenditures that are necessary to build a
2 complete school to LEED silver-level or Green Globes two-globe
3 or better building-certification standards but that exceed the
4 expenditures necessary to build a complete school in
5 compliance with this chapter. Such additional costs may
6 include, but are not limited to, registration and
7 certification fees charged for certification of the school to
8 LEED silver-level or Green Globes two-globe or better
9 building-certification standards.

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

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

27 1. Demonstrate that it implements sound financial
28 management practices by producing documentation that indicates
29 that the school district for the preceding 3 years has had no
30 material weaknesses or instances of material noncompliance
31 noted in its annual audits required under s. 218.39.

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1 2. Engage a design team that has demonstrated
2 knowledge and experience in high-performance green building
3 construction.

4 3. Commit to building at least one complete school to
5 LEED silver-level or Green Globes two-globe or better
6 building-certification standards. A school built to such
7 building-certification standards shall be designated as a
8 "Green School."

9 (c) When selecting school districts to participate in
10 the pilot project, evaluation criteria implemented by the
11 State Board of Education may include, but need not be limited
12 to, school districts that demonstrate a high percentage of
13 environmentally inefficient schools or school districts that
14 propose innovative methods for improving water savings, energy
15 efficiency, or indoor environmental quality.

16 (5)(a) From funds appropriated for the Green Schools
17 Pilot Program, the department shall distribute to each
18 participating school district an amount sufficient to fund the
19 additional costs required to build one complete school to LEED
20 silver-level or Green Globes two-globe or better
21 building-certification standards.

22 1. If appropriated funds are insufficient to fund the
23 total of additional costs required to build three complete
24 schools to LEED silver-level or Green Globes two-globe or
25 better building-certification standards, the department shall
26 prorate funds available and make distributions based on the
27 ratio of each school's additional costs relative to the total
28 of additional costs for the three schools.

29 2. If appropriated funds remain after the
30 distribution, such funds may be distributed by the department
31 to one or more of the participating school districts to fund

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1 the additional costs required to build other new schools or to
2 renovate existing schools to LEED silver-level or Green Globes
3 two-globe or better building-certification standards.

4 (b) Participating school districts must annually
5 report to the department the expenditure of funds received
6 under paragraph (a). The reports must be open to inspection
7 and examination by the Auditor General. A participating school
8 district must return to the department:

9 1. Any funds found by the Auditor General to have been
10 improperly expended.

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

15 (6) Each participating school district shall deliver
16 to the Governor, the President of the Senate, the Speaker of
17 the House of Representatives, and the Commissioner of
18 Education a report on the effects Green Schools have had on
19 student performance and health, operational costs, energy
20 consumption, and the environment in the district. This report
21 shall be submitted by July 1 of the year after a Green School
22 has been in full operation for 3 years.

23 Section 42. This act shall take effect July 1, 2007.

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26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 1, line 12, delete that line

29
30 and insert:

31 requiring the Florida Energy Commission to

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1 conduct a study and recommend a renewable
2 portfolio standard; providing requirements and
3 procedures therefor; requiring the Florida
4 Energy Commission to conduct a study to
5 recommend the establishment of an energy
6 efficiency and solar energy initiative;
7 providing requirements and procedures therefor;
8 requiring the Public Service Commission to
9 submit a report to the Legislature on methods
10 used to evaluate the conservation goals, plans,
11 and programs of utilities subject to the
12 Florida Energy Efficiency and Conservation Act;
13 requiring the Department of Agriculture and
14 Consumer Services to conduct a study and
15 recommend a Florida Loan Guarantee Program for
16 cellulosic ethanol facilities; requiring a
17 report to the Legislature; requiring the
18 Department of Community Affairs to convene a
19 workgroup to identify and review certain energy
20 conservation standards for specified products;
21 providing requirements and procedures therefor;
22 creating s. 1013.441, F.S.; establishing the
23 Green Schools Pilot Project to enable selected
24 school districts to comply with certain
25 building-certification standards; defining the
26 term "additional costs"; providing for an
27 application and selection process for
28 participation in the pilot project; providing
29 requirements for school districts to
30 participate; providing for evaluation criteria
31 that may be used during the selection process;

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

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