

HB 23

2008

1 A bill to be entitled
2 An act relating to education facilities; creating s.
3 1013.441, F.S.; establishing the Green Schools Pilot
4 Project to enable selected school districts to comply with
5 certain building-certification standards; defining the
6 term "additional costs"; providing for an application and
7 selection process for participation in the pilot project;
8 providing requirements for school districts to
9 participate; providing for evaluation criteria that may be
10 used during the selection process; providing for the
11 distribution of funds by the Department of Education;
12 providing for prorated distribution of funds under
13 specified circumstances; providing authority to distribute
14 excess funds for specified purposes; requiring the
15 reporting of expenditures by participating school
16 districts; authorizing inspection and evaluation of the
17 reports by the Auditor General; providing for the return
18 of improperly expended funds and of specified funds if a
19 constructed or renovated school fails to achieve specified
20 certification standards; requiring a report by each
21 participating school district; providing an appropriation;
22 providing an effective date.

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

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

28 1013.441 Green Schools Pilot Project.--

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

40 (2) LEED building-certification standards are defined by
41 the United States Green Building Council and the Green Globes
42 building-certification standards are defined by the Green
43 Building Initiative. Both standards address the total effect
44 that new buildings have on the environment so as to maximize
45 energy efficiency and to minimize adverse effects on the
46 environment.

47 (3) For purposes of this section, the term "additional
48 costs" means the expenditures that are necessary to build a
49 complete school to LEED silver-level or Green Globes two-globe
50 or better building-certification standards but that exceed the
51 expenditures necessary to build a complete school in compliance
52 with this chapter. Such additional costs may include, but are
53 not limited to, registration and certification fees charged for
54 certification of the school to LEED silver-level or Green Globes
55 two-globe or better building-certification standards.

56 (4) (a) The Department of Education, in consultation with

57 the Florida Energy Office, shall develop by August 1, 2008, an
58 application process for school districts to participate in the
59 pilot project. Three school districts shall be selected by the
60 State Board of Education by January 1, 2009, to participate in
61 the pilot project. One school district shall be in a county
62 having a population of 1 million or more residents; one school
63 district shall be in a county having a population of 250,000 to
64 999,999 residents; and one school district shall be in a county
65 having a population of fewer than 250,000 residents. School
66 districts selected to participate in the pilot project shall, to
67 the greatest extent possible, represent geographically different
68 regions of the state.

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

72 1. Demonstrate that it implements sound financial
73 management practices by producing documentation that indicates
74 that the school district for the preceding 3 years has had no
75 material weaknesses or instances of material noncompliance noted
76 in its annual audits required under s. 218.39.

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

79 3. Commit to building at least one complete school to LEED
80 silver-level or Green Globes two-globe or better building-
81 certification standards. A school built to such building-
82 certification standards shall be designated as a "Green School."

83 (c) When selecting school districts to participate in the
84 pilot project, evaluation criteria implemented by the State

85 Board of Education may include, but need not be limited to,
86 school districts that demonstrate a high percentage of
87 environmentally inefficient schools or school districts that
88 propose innovative methods for improving water savings, energy
89 efficiency, or indoor environmental quality.

90 (5) (a) From funds appropriated for the Green Schools Pilot
91 Project, the department shall distribute to each participating
92 school district an amount sufficient to fund the additional
93 costs required to build one complete school to LEED silver-level
94 or Green Globes two-globe or better building-certification
95 standards.

96 1. If appropriated funds are insufficient to fund the
97 total of additional costs required to build three complete
98 schools to LEED silver-level or Green Globes two-globe or better
99 building-certification standards, the department shall prorate
100 funds available and make distributions based on the ratio of
101 each school's additional costs relative to the total of
102 additional costs for the three schools.

103 2. If appropriated funds remain after the distribution,
104 such funds may be distributed by the department to one or more
105 of the participating school districts to fund the additional
106 costs required to build other new schools or to renovate
107 existing schools to LEED silver-level or Green Globes two-globe
108 or better building-certification standards.

109 (b) Participating school districts must annually report to
110 the department the expenditure of funds received under paragraph
111 (a). The reports must be open to inspection and examination by
112 the Auditor General. A participating school district must return

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113 to the department:

114 1. Any funds found by the Auditor General to have been
115 improperly expended.

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

120 (6) Each participating school district shall deliver to
121 the Governor, the President of the Senate, the Speaker of the
122 House of Representatives, and the Commissioner of Education a
123 report on the effects Green Schools have had on student
124 performance and health, operational costs, energy consumption,
125 and the environment in the district. This report shall be
126 submitted by July 1 of the year after a Green School has been in
127 full operation for 3 years.

128 Section 2. For fiscal year 2008-2009, the sum of
129 \$3,500,000 in nonrecurring funds is appropriated from the Public
130 Education Capital Outlay and Debt Service Trust Fund to the
131 Department of Education to fund the additional costs required
132 for the new construction of three complete schools to LEED
133 silver-level or Green Globes two-globe or better building-
134 certification standards under the Green Schools Pilot Project as
135 provided in s. 1013.441, Florida Statutes.

136 Section 3. This act shall take effect July 1, 2008.