



## Energy and Telecommunications Interim Committee

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### 63rd Montana Legislature

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TODD EVERTS, Staff Attorney  
JOY LEWIS, Secretary

March 7, 2014

**TO:** Energy and Telecommunications Interim Committee (ETIC) members

**FR:** ETIC Staff

**RE:** Green Schools

In its 2013-2014 work plan the Energy and Telecommunications Interim Committee (ETIC) members agreed to a review and discussion of green school programs. The topic was suggested to provide a forum for legislators to learn more about green school standards in Montana. The review was to include information on efforts already taking place in Montana to diversify energy resources used in Montana schools and practices and procedures to reduce energy consumption. A discussion of how other states are promoting green schools was also requested.

At the close of the March 21 discussion, ETIC members will be asked to provide staff with additional direction on its review of green schools. ETIC members will be asked to narrow their green schools policy work and determine what aspects merit additional consideration. At the May ETIC meeting, members can begin to develop findings or recommendations on the topic. At the May meeting, the ETIC will need to propose any policy changes (potential bill drafts) they would like to see the committee consider.

#### Green Schools Activities in Other States

At the March 21 meeting, Wendy Weaver with Green Stone Consulting will present the committee with information about policies in other states to promote energy efficiency and conservation in schools. Ms. Weaver provided a summary of those policies and a list of resources for the ETIC in advance of the upcoming discussion. That summary is attached. Ms. Weaver also included a *Green Schools Menu of Options for State Legislators*.

The menu, with a focus on energy specific issues, includes a discussion of legislative options that are broken down into different "pillars" or categories. Below are examples under "Reduce environmental impact and costs" and "Reduce or eliminate greenhouse gas emissions" including:

- Requirements for green school construction
  - Example: Require new school construction projects that use state funds to achieve high performance standards.
- Requirements for energy audits or emission inventories and reduction plans
  - Example: Require school districts to generate and maintain energy efficiency ratings on buildings.
- Cost-effective energy efficiency improvements and conservation measures
  - Example: Provide training for school district employees on best practices for

- improving energy efficiency.
  - Example: Enhance performance contracting.
- Options for on-site renewable energy
  - Example: Develop a low-interest loan program for schools interested in renewable energy production.

At the March meeting, ETIC members will learn more about legislative activities in other states. The information attached also includes specific examples of legislation in other states.

#### Snapshot of Existing Efforts in Montana

The information provided below offers a snapshot of current programs authorized in Montana law related to energy efficiency in Montana schools. Representatives from the Department of Commerce and Department of Environmental Quality (DEQ) will present additional information at the ETIC's March 21 meeting.

#### Quality Schools

In the December 2005 Special Session, the Legislature appropriated \$2.5 million from the general fund to the Department of Administration for the completion of a condition and needs assessment and energy audit of K-12 public school facilities. In the May 2007 Special Session, the Legislature established a school facility improvement account in the state special revenue fund. The account was established to provide money to schools to implement the recommendations of the assessment and energy audit.

The Quality Schools Grant Program administered by the Department of Commerce was then created by the 2009 Montana Legislature (Chapter 377, Laws 2009). It provides a competitive grant program for school facility and technology grants; matching planning grants; and emergency grants for public school districts in Montana. One of the purposes of the program, as listed in 90-6-802, MCA is to "promote energy conservation and reduction".

The funds for Quality Schools grants come from the timber harvest on common school trust lands, and rental income received from power site leases as provided in 77-4-208, MCA, and deposited into the school facility and technology account.

The purpose of the account is to provide money to schools for:

- major deferred maintenance;
- improving energy efficiency in school facilities;
- critical infrastructure in school districts;
- emergency facility needs;
- technological improvements; and
- state reimbursement for certain school facilities

In 2009, the Montana Reinvestment Act, House Bill No. 645, was also passed and approved by the 2009 Legislature to implement the federal American Recovery Reinvestment Act (ARRA) of 2009. The act provided for a quick start energy program within the Department of Commerce for

quick start energy efficiency improvement grants to public school districts for projects that provide long-term, cost-effective benefits to school facilities.

School districts submitted an application to the department for quick start energy efficiency improvement grant funding. The money was for an energy audit or evaluation of the potential for energy savings in a school facility by a prequalified energy auditor or for energy efficiency improvements that are based on an energy audit or evaluation and that are expected to achieve measurable energy efficiency to a school facility and cost savings for the public school district. In awarding grants, the department considered the potential for energy savings in a public school facility based on the age, energy use, function, and condition of the building. The act resulted in about \$15 million being available to school districts for deferred maintenance and energy improvements. Districts spent the money by September 30, 2010.

House Bill No. 15, passed and approved by the 2013 Legislature, appropriated funds for the Quality Schools Grant Program for the 2015 biennium. The legislation provided about \$11.4 million in project grant funds for 30 school facility projects. It also provided \$900,000 in planning and \$100,000 in emergency funding for the 2015 biennium. Energy efficiency grants included:

- Plenty Coups HS/Energy efficiency project \$307,000
- Flathead HS/Energy efficiency project \$1,010,067
- Geraldine ELE/Complete energy upgrades \$68,161

#### Bonding

In accordance with 20-9-471, MCA, the trustees of a school district may, without a vote of the electors of the district, issue and sell to the Board of Investments obligations for the purpose of financing all or a portion of the costs associated with renovating, rehabilitating, and remodeling facilities, including but not limited to roof repairs, heating, plumbing, electrical systems, and conservation measures as defined in 90-4-1102, MCA. "Conservation measures" were added by the 2011 Montana Legislature through House Bill No. 182. The legislation also prohibited a vote on a levy to pay principal or interest on conservation-related cost savings obligations. The obligation must state clearly it is not secured by a pledge of the school district's taxing power but is payable from amounts in its general fund or other legally available funds.

The term of the obligation, including an obligation for a qualified energy project, may not exceed 15 fiscal years. A "qualified energy project" means a project designed to reduce energy use in a school facility and from which the resulting energy cost savings are projected to meet or exceed the debt service obligation for financing the project, as determined by the DEQ.

The Board of Investments sells bonds and lends the proceeds to eligible schools and governments for a variety of projects. Loan terms range from one to ten years, and short-term loans to finance cash flow deficits or bridge financing also are available.

#### Energy Performance Contracting

The 2005 Legislature passed and approved House Bill No. 212 authorizing local government

entities, including school districts, to enter into energy performance contracts. An "energy performance contract" is a contract between a local government unit and a qualified provider for evaluation, recommendation, and implementation of one or more conservation measures, evaluation of conservation-related cost savings, and a guarantee of cost savings.

The law establishes the procedures for entering into an agreement with a private energy service company to identify and evaluate energy-saving opportunities. That company then recommends improvements to be paid for through savings. There must be a guarantee that savings meet or exceed annual payments to cover all project costs — usually over a contract term of three to 20 years. If savings don't materialize, the company then pays the difference.

The DEQ also can solicit requests for qualifications and proposals for qualified providers to offer energy performance contracts to local government units. The DEQ has developed model documents and provides technical assistance to local government interested in procuring energy performance contracts and related services.

Most recently Kalispell School District No. 5 collaborated with Ameresco to perform energy and infrastructure upgrades at 12 school district buildings. Energy performance contracts were used. Ameresco will install about \$3.3 million in energy efficiency improvements. The improvements are expected to save the district an estimated \$140,569 annually and address infrastructure needs. As noted above in addition to project contracting, the project is also being funded with a \$1 million Quality Schools Grant for energy saving infrastructure upgrades at Flathead High School.

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# MONTANA Memo

## **MONTANA CHAPTER OF US GREEN BUILDING COUNCIL**

To: ENERGY AND TELECOMMUNICATIONS INTERIM COMMITTEE  
From: Wendy Weaver  
CC: SONJA NOWKOWSKI  
Date: 1/5/2014  
Re: MONTANA GREEN SCHOOL RESOLUTION

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### **BACKGROUND**

A green school is not just about the environment or energy efficiency. It includes things such as indoor air quality, proper daylighting, water conservation, non-toxic cleaning materials and finishes, waste reduction programs, and thermal comfort.

A green school resolution will bring greater transparency and accountability to the taxpayers of Montana in how our buildings are sited, constructed, operated and maintained. Building green is a fiscally smart choice. According to *Greening America's Schools: Costs and Benefits*, green schools use 33% less energy and 32% less water than conventionally constructed schools. This means that, on average, green schools save \$100,000 per year on operating costs – enough to hire at least one new teacher, buy 200 new computers, or purchase 5,000 textbooks each and every year. At a time when our state budget is as constrained as it is, it's our responsibility to ensure that we're using our taxpayer dollars as effectively as possible.

### **RESOURCES**

A few helpful resources on green schools policy, national data on school facilities, federal programs and more (excerpted from the follow-up materials from USGBC 2013 green schools state legislative summit), including:

- 1- [Green Schools Menu of Options for State Legislators](#)
- 2- [Greening Our Schools: A State Legislator's Guide to Best Policy Practice](#)

[Model green schools ordinance](#) – this could be modified for MT and work in the announcement/launch of a high-performance green schools challenge?



# Memo

The one for “Highlight Green Homes” is also a very soft [model ordinance](#).

Schools are public buildings and could consider committing to benchmarking energy and water through Energy Star, find more information on this [campaign](#) and associated materials at the link.

## **Harvard Study Explores Positive Impact of Green Government Buildings**

### **Common Ground on Green Schools**

1-[South Carolina Common Ground Summit](#)

2-[Kentucky Common Ground Summit](#)

## **WHAT OTHER NORTHERN ROCKY MOUNTAIN STATES ARE DOING**

-[State Legislatures Sow Seeds of Opportunity for Healthy, High-Performing Schools](#)

-[July 2013 summary of green schools policy activity](#)

**Colorado:** “A [new law in Colorado](#) requiring school renovation and construction to attain the highest energy efficiency standards practicable”. See also: [New laws and leadership cultivate green building in the Southwest](#),

[http://www.leg.state.co.us/CLICS/CLICS2013A/csl.nsf/fsbillcont3/119A8136123F7F8187257AEE0057C13C?Open&file=279\\_enr.pdf](http://www.leg.state.co.us/CLICS/CLICS2013A/csl.nsf/fsbillcont3/119A8136123F7F8187257AEE0057C13C?Open&file=279_enr.pdf)

Also, a link to Colorado’s K-12 Green School Program and Energy Assistance Program, <http://www.colorado.gov/cs/Satellite/GovEnergyOffice/CBON/1251599962874>

**Wyoming:** [Wyoming to advance environmental education](#)

**Utah:** [Utah state wins report \(and blog\)](#)

After several consecutive attempts to enact a state policy that embraces and promotes green schools, Representative Mark Wheatley’s “Sustainable Schools Joint Resolution” (HJR 1) passed both houses and was approved by Governor Herbert. The resolution encourages state authorities to consider applying healthy, efficient design and construction practices in schools and also encourages school districts to consider better incorporating sustainability in school construction and operations.



# Memo

**Texas:** Appropriations made in [Texas to support a clean school bus program](http://www.capitol.state.tx.us/tlodocs/83R/billtext/html/SB01727I.htm) and a corresponding health effects study,  
<http://www.capitol.state.tx.us/tlodocs/83R/billtext/html/SB01727I.htm>

2011 State Activity Report [state wins report](#) (and [blog](#)):

--Summary of what other legislators have been doing across the country ([here](http://www.usgbc.org/articles/across-country-legislators-and-their-constituents-actively-support-green-schools))  
<http://www.usgbc.org/articles/across-country-legislators-and-their-constituents-actively-support-green-schools>



# DRAFT LEGISLATIVE TEXT

**Resolution to Support  
Green Schools**

## DRAFT Ordinance/Resolution NO. \_\_\_\_

**WHEREAS**, the \_\_\_\_ [legislative body] of \_\_\_\_\_ [state/county/city/town] desires to grow the twenty-first century economy by establishing community-advancing policies that unleash the potential of our buildings and our children to usher in a healthier, safer, more efficient, resilient and prosperous future; and

**WHEREAS**, deteriorating school infrastructure and poor indoor environmental quality threaten the health, well being and achievement of staff and students; and

**WHEREAS**, healthy, high-performance schools, or "green schools," create a healthy environment that is conducive to learning while saving energy, resources and money; and

**WHEREAS**, children in green schools are healthier and more productive because green schools emphasize excellence in areas such as natural day lighting, thermal comfort, and classroom design – all of which have been shown to improve children's well-being and ability to learn [find more information [here](#)]; and

**WHEREAS**, the benefits of superior indoor air quality – a key emphasis of green schools – have been linked to lower asthma rates, fewer allergies, reduced absenteeism, and increased teacher retention rates [find more information [here](#)]; and

**WHEREAS**, green schools use an average of 30 – 50% less energy compared to conventional schools [find more information [here](#)]; and

**WHEREAS**, instruments like the LEED (Leadership in Energy and Environmental Design) green building rating system can optimize building performance, resolve operational inefficiencies, and dramatically reduce utility costs in new school construction and in existing school renovation; and

**WHEREAS**, green schools provide an educational experience that transcends the classroom by creating a host of opportunities for curriculum innovation and hands-on, project based learning in which the building itself becomes an interactive teaching tool; and

**WHEREAS**, green schools do not cost more to build than conventional schools [find more information [here](#)] – proven by hundreds of green schools in hundreds of communities across the U.S., including \_\_\_\_ [insert a few relevant examples from [here](#) or [here](#)]; and

**WHEREAS**, greening existing schools can happen through low or no-cost operations and maintenance improvements, such as implementing water efficiency measures, green cleaning programs, smarter purchasing practices, recycling and waste reduction initiatives, and energy management plans that can save a school district millions of dollars a year in direct operating expenses [find more information [here](#)];

**WHEREAS**, the above-listed benefits of green schools – including fiscal responsibility, human and environmental health, and an educational connection to the 21<sup>st</sup> century economy – transcend political boundaries;

### **NOW, THEREFORE, BE IT RESOLVED THAT:**

The \_\_\_\_ [legislative body] of \_\_\_\_\_ [state/county/city/town] agrees to work together toward common sense solutions and to pass policies that effectively promote the benefits of green schools to our communities and advance the vision that every child will attend a green school within this generation.

*State legislators worked with the Center for Green Schools at the U.S. Green Building Council to develop a first-ever state legislator's guide to best policy practices called [Greening Our Schools](#). Since then, many legislative ideas have been compiled into a [Green Schools Menu of Options for State Legislators](#). At the local level, mayor-and-superintendent teams worked with the Center for Green Schools at the U.S. Green Building Council to develop a national action plan entitled, "[Local Leaders in Sustainability](#)." Find all this and more at [www.centerforgreenschools.org](http://www.centerforgreenschools.org).*





## **1** POLICY RESOURCES FOR STATE LEGISLATORS ADVANCING HEALTHY, HIGH-PERFORMING SCHOOLS

- [\*Greening Our Schools: A State Legislator's Guide to Best Policy Practices\*](#)  
A one-stop toolkit for state lawmakers who are developing policy solutions that improve the health, productivity, efficiency, and fiscal responsibility of schools in their state.  
Direct link: [http://www.centerforgreenschools.org/docs/GreeningOurSchools\\_PRINT.pdf](http://www.centerforgreenschools.org/docs/GreeningOurSchools_PRINT.pdf)
- [\*Green Schools Menu of Options for State Legislators\*](#)  
Created by state legislators, for state legislators, this resource outlines specific policy solutions from around the country to advance healthy, high-performing schools.  
Direct link: [http://www.centerforgreenschools.org/Libraries/Resources\\_Documents/USGBC\\_Green\\_Schools\\_Menu\\_of\\_Options\\_for\\_State\\_Legislators.sflb.ashx](http://www.centerforgreenschools.org/Libraries/Resources_Documents/USGBC_Green_Schools_Menu_of_Options_for_State_Legislators.sflb.ashx)

## **2** RESEARCH ABOUT THE NATIONAL STATE OF SCHOOL FACILITIES, GREEN SCHOOL CONSTRUCTION COSTS AND THE IMPORTANCE OF HEALTHY LEARNING ENVIRONMENTS

- [\*The Center for Green Schools 2013 State of Our Schools Report\*](#)  
Released this spring with a forward from President Clinton, this report highlights the current national needs around school facilities modernization.  
Direct link: <http://centerforgreenschools.org/stateofschools>
- [\*The Cost of Green Revisited\*](#)  
*The Cost of Green Revisited* (Davis Langdon, 2007) reveals that projects can and are achieving LEED certification not only within their budgets, but also within the same cost range as non-LEED projects.  
Direct Link: <http://www.centerforgreenschools.org/docs/cost-of-green-revisited.pdf>
- Read additional myths and facts about green schools on the Center's website [here](#).
- [\*The Impact of School Buildings on Student Health and Performance\*](#)  
Jointly released with McGraw Hill Foundation, this paper is an accessible account of current research connecting school buildings with student health and performance. It also includes a summary of research needed and how individual groups (teachers and students, design professionals, government agencies, etc.) can help in the effort to draw connections between where students learn and their well being. Anyone who needs clear, defensible research to support the need for better, healthier classrooms will find the summary of research into how students breathe, see, hear, move and learn useful.  
Direct link: [http://centerforgreenschools.org/Libraries/Publications/McGrawHill\\_ImpactOnHealth.sflb.ashx?download=true](http://centerforgreenschools.org/Libraries/Publications/McGrawHill_ImpactOnHealth.sflb.ashx?download=true)

USGBC Paid from Savings Guide:

# THE PAID-FROM-SAVINGS GUIDE TO GREEN EXISTING BUILDINGS EXECUTIVE SUMMARY





## Green Schools Menu of Options for State Legislators

State legislators have powerful opportunities to promote healthy, high-performing schools through legislative activities and innovative community partnerships. At the 2009 Green Schools State Legislative Summit, leading state lawmakers discussed a range of ideas to include in USGBC's menu of legislative options for green schools. These options have since been updated to include recent legislative action reflecting current national priorities, including more in-depth financing models, as well as opportunities to green existing buildings, promote children's health and encourage environmental literacy. The ideas in this resource are organized into the three pillars of the U.S. Department of Education Green Ribbon Schools (ED-GRS) award:

- Reduced environmental impact & costs
- Improved health & wellness
- Effective environmental & sustainability education

More information about ED-GRS can be found at [www.ed.gov/green-ribbon-schools](http://www.ed.gov/green-ribbon-schools).

Many of the bills listed below are comprehensive in nature and intended to have benefits beyond the pillar to which they have been assigned. Finally, since this resource was first created, it has existed as a living document. We welcome all feedback.

## Table of Contents

### Pillar One: Reduced Environmental Impacts & Costs

- Reduced or eliminated greenhouse gas emissions; improved water quality, efficiency and conservation measures
  - Requirements for green school construction
  - Using an energy audit or emissions inventory + reduction plan
  - Cost-effective energy efficiency improvements & conservation measures
  - On-site renewable energy and/or purchase of green power
- Reduced solid and hazardous waste production; expanded use of alternative transportation
  - Increased recycling, reduced consumption
  - Improved management, reduction, or elimination of hazardous waste

# GREEN SCHOOLS MENU OF OPTIONS FOR STATE LEGISLATORS

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## **Pillar Two: Improved Health & Wellness**

- Integrated School Environmental Health Programs; operations and facility-wide management
  - Green cleaning policies
  - Indoor air quality management programs
  - Indoor pest management plans
  - High standards of nutrition, fitness, and quantity of quality outdoor time

## **Pillar Three: Effective Environment & Sustainability Education**

- Use of the environment and sustainability to develop STEM content knowledge and thinking skills to prepare graduates for the 21<sup>st</sup> century technology-driven economy
  - Graduation requirements
- Development of civic engagement knowledge and skills, and students' application of these to address sustainability and environmental issues in their community.
  - Promoting environmental literacy programs and community initiatives like Green Apple Day of Service

## **Acknowledgements**

USGBC would like to thank the many state legislators who participate in the [50 for 50 Green Schools Caucus Initiative](#) for their thoughtful guidance in creating the Green Schools Menu of Options for State Legislators. USGBC would also like to recognize collaborating organizations that have also contributed ideas to this guide, particularly the Campaign for Environmental Literacy ([www.FundEE.org](http://www.FundEE.org)) and the National Caucus of Environmental Legislators ([www.ncel.net](http://www.ncel.net)).

## **Disclaimer**

PLEASE NOTE: This guide is provided as a research and reference tool. The legal issues involved in the advocacy matters discussed in this guide are complex. This guide and the information available through it do not, and are not intended to, constitute legal advice. Should you require legal advice, you should consult your own attorney.

***Last updated: August 2013***

# GREEN SCHOOLS MENU OF OPTIONS FOR STATE LEGISLATORS

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## I. Reduced Environmental Impact and Costs

### A. Reduced or eliminated greenhouse gas emissions

- ***Requirements for Green School Construction***

Legislation requiring new school construction projects to be green demonstrates a commitment to fiscal responsibility, promotes green jobs, and encourages healthy, high-performance facilities for students and teachers. When a green school is certified by a rating system with third party verification, such as LEED, taxpayers, parents, and students can be certain the building has been constructed for maximum efficiency to reduce operating costs, and designed with occupant health in mind. Green schools can also act as catalysts for community change, inspiring nearby residents and businesses to adopt their own green measures.

There are currently 13 states including the District of Columbia that have adopted green school policies for new construction: Arizona, Connecticut, Colorado, Florida, Hawaii, Illinois, Kentucky, Maryland, New Jersey, Ohio, Rhode Island, Washington, and Washington, D.C.

***Example: Illinois HB312***

On July 13, 2009 HB0312 was approved, reappropriating construction and modernization funding for Illinois schools, consistent with the provisions from Public Act#95-0416. On August 24, 2007, the Illinois State Senate amended the School Construction Law ([Public Act #95-0416](#)) with the governor's approval, directing the Capital Development Board to only issue grants to school projects with LEED for Schools or comparable rating system certification, or to projects that meet the standards set forth by the Capital Development Board's Green Building Advisory Committee.

For more information: <http://ilga.gov/legislation/96/HB/PDF/09600HB0312sam002.pdf>

***Example: Maryland SB208***

On April 24, 2008, Governor O'Malley signed the [High Performance Building Act](#) into law, requiring all new public construction and major renovation projects of 7,500 sq ft or greater, and intended for occupation, to earn LEED Silver certification or two Green Globes. The High Performance Building Act further requires that MD public schools using state funds earn LEED Silver certification or two Green Globes. The High Performance Building Act further adds that "the State will pay half of any extra costs" incurred in building green public schools.

For more information: <http://mlis.state.md.us/2008rs/bills/sb/sb0208t.pdf>

***Example: Hawaii [HB2175](#)***

# GREEN SCHOOLS MENU OF OPTIONS FOR STATE LEGISLATORS

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On June 26, 2006, Governor Lingle signed HB2175, thus requiring each state agency to design and construct buildings to meet the LEED Silver certified level, or a comparable standard. The law applies to all new state-owned construction of 5,000 square feet or greater, including K-12 public schools.

For more examples: <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=1852#K-12>

- ***Using an energy audit or emissions inventory + reduction plan***

Legislation requiring the use of energy audits or emissions reduction plans give school districts a statistical foundation upon which they can base retrofitting projects or other green plans for their respective schools buildings. Audits provide benchmark numbers to compare to a building's current energy performance, and the subsequent reduction plan provides a plausible roadmap for the district to achieve.

Furthermore, state legislators can promote the greening of existing facilities by passing legislation requiring all facilities to benchmark with Energy Star™ Portfolio Manager. Portfolio Manager is a free online tool that allows building owners to track and assess energy and water consumption, performance and cost information for individual buildings and building portfolios. Energy Star is also the required benchmarking platform for validating building performance in the LEED for Existing Buildings: Operations and Maintenance rating system.

***Example: Nebraska LB522***

Nebraska LB522, the "High Performance Green Schools Transparency Act," would require each school district to generate and maintain an up-to-date ENERGY STAR efficiency rating on each of the district's school and administration buildings using the Environmental Protection Agency's free online tool, Portfolio Manager. The State Department of Education would publish and maintain the results on their web site.

More information:

<http://nebraskalegislature.gov/FloorDocs/102/PDF/Intro/LB522.pdf>

***Example: Indiana SB586***

SB 586 was introduced by on Senator Charbonneau on January 15, 2013. This bill would require that all state public works projects be designed, constructed, operated, and maintained to achieve maximum energy efficiency to the extent that this goal can be accomplished on a cost effective basis considering construction and operating costs over the life cycle of the building or structure. The bill was signed into law on May 11, 2013.

- ***Cost-effective energy efficiency improvements & conservation measures***

# GREEN SCHOOLS MENU OF OPTIONS FOR STATE LEGISLATORS

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Improving the energy efficiency of new or existing school buildings does not have to be expensive. In fact, with more than 132,000 schools in the U.S., the greatest opportunity for state legislators to promote green schools is to encourage existing schools to go green. Lawmakers can stipulate operational changes or encourage training that can provide simple, cost effective ways to reduce energy consumption and save money.

**Providing training for optimizing operations: Example: California [SB590](#)**

Senator De León introduced SB590 on February 22, 2013. This bill would establish the Classified School Employee Staff Development and Training Program which includes learning about school facility maintenance and operations: new research and best practices in the operations and maintenance of school facilities, including green technology and energy efficiency that help reduces the use and the costs of energy at school sites. The bill was referred to the Committee on Education on June 17, 2013. The bill passed the Senate on June 18, 2013.

**Enable Legislation for performance contracting (PC):**

Performance contracting can provide funding for significant renovations and retrofits while mitigating up-front costs. Because states manage their liability and financial risk on an aggregate level, some states don't allow public entities, including schools, to engage in contracts that are long-term, prohibiting entrance to performance contracts. A state that passes legislation allowing schools to enter performance contracts may set a time maximum for the contract, and may also involve a pre-approval process of contractors from the state department of energy.

Green Performance Contracting: Green Performance Contracting (Green PC) is based on the same project delivery method as traditional performance contracting, but enhances the processes by utilizing the LEED for Existing Buildings: Operations & Maintenance rating system as criteria for a comprehensive green project. For more information about Green PC, and the paid-from-savings approach, consult USGBC's *Paid-from-Savings Guide to Green Existing Buildings* ([www.usgbc.org/store](http://www.usgbc.org/store); Available for free download for school audiences)

For information about states allowing performance contracting for public entities, visit: <http://www.ornl.gov/info/esco/legislation/newesco.shtml>

**Example: Maine [LD1264](#)**

"An Act To Improve the Energy Efficiency of Public Buildings and Create Jobs" intends to improve the energy efficiency and usage of distributed renewable technology in state-funded construction. Among other provisions, it would give school administrative units increased flexibility in contracting with energy service companies for energy efficiency and load management improvements. Flexibility measures would include increasing the

# GREEN SCHOOLS MENU OF OPTIONS FOR STATE LEGISLATORS

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time a unit would be permitted to enter into such contracts from 15 years to 20 years and raising the \$2 million statutory contract ceiling if all risk that the project's costs will exceed its benefits is not borne by the unit.

**Example: Minnesota [HF270](#)**

Representative Hausman introduced HF270 on January 31, 2013. This bill establishes the school energy conservation revolving loan program to provide financial assistance to school districts to make energy improvements in school buildings that reduce statewide greenhouse gas emissions and improve indoor air quality in schools. On May 17, 2013, the bill was not passed as amended with a 76-56 vote. A three-fifths majority (81) was needed to pass the bonding bill.

- ***On-site renewable energy and/or purchase of green power***

The use of renewable energy sourced at the school building itself, such as solar or geothermal power, can promote significant energy efficiency and cost cutting benefits for both the school and the district. State legislators can push for on-site renewable energy by touting the preservation of energy, the reliability and accessibility of the source, and the provision of loans/grants to offset the initial costs.

**Example: New Jersey [AB2313](#)**

Assemblymember Brown introduced AB2313 on June 13, 2013. This bill provides priority status to a solar electric power generation system that is installed on the property of a State entity, school district, county, county agency, county authority, municipality, municipal agency, or municipal authority and that is expected or intended to provide energy savings to that public entity, over a solar electric power generation system that is installed on private property, provided the applicable electric public utility has already determined that the public entity's solar electric power generation system is eligible for net metering and has received Board of Public Utilities approval to be connected to the electric distribution system. The bill was referred to the Committee on Telecommunications and Utilities on June 13, 2013.

**Example: [Colorado Renewable Energy and Energy Efficiency for Schools Loan Program Act \(HB09-1312\)](#)**

This legislation brings together the Treasurer's office, the Governor's Energy Office, the Legislature, schools and local businesses to create a program that provides school districts with low interest loans for renewable energy. As the legislation states, "By producing their own energy with renewable energy sources, some school districts have reduced their energy costs while promoting energy independence and environmental responsibility and have provided students with an opportunity to understand this burgeoning technology." The loans can be used to install solar panels or wind turbines



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on site, or can be used to convert diesel-powered school buses to battery or hybrid-electric power.

## **B. Reduced solid and hazardous waste production**

- ***Increased recycling, reduced consumption***

Recycling and reduced consumption continue to be two simple and proven ways to reduce the production of solid and hazardous waste. Students can participate in school-organized activities, families participate in community recycling programs, and together the schools and districts work together to reduce waste. State legislators can introduce bills that mandate the creation of recycling programs for school districts or large communities, with funding incentives to offset costs. [Green Apple Day of Service](#) can be an effective platform for student and community engagement on this topic (see [Georgia HR704](#)).

***Example: Illinois [HR353](#)***

Representative Wheeler introduced HR353 on May 15, 2013. This bill recognizes the 2013 Dream Machine Recycle Rally. The resolution was adopted on May 16, 2013.

***Example: Massachusetts [HB745](#)***

was introduced by Representative Koczera on January 22, 2013. This bill would reinstate the Clean Environment Fund to reduce waste and protect the environment in the Commonwealth. The bill was referred to the committee on Environment, Natural Resources and Agriculture on January 22, 2013.

- ***Improved management, reduction, or elimination of hazardous waste; expanded use of alternative transportation***

***Example: North Carolina [HB960](#)***

Representative Elmore introduced HB960 on April 17, 2013. This bill requires local boards of education to account for several environmental factors, including policies addressing pesticide use and cleaning materials and the environmental education of its students. The bill was referred to the Committee on Education on April 18, 2013.

***Example: Michigan [HB4232](#)***

Representative Ananich introduced HB4232 on February 12, 2013. This bill would amend 2008 PA 295, the "Clean, renewable, and efficient energy act," to authorize funds to school districts for weatherizing, upgrading, and retrofitting elementary and secondary schools to improve energy efficiency, decrease fuel costs, increase use of alternative fuels, or decrease emissions of air pollutants. These funds would also be used to retrofit

# GREEN SCHOOLS MENU OF OPTIONS FOR STATE LEGISLATORS

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school buses to operate on compressed natural gas or other alternative fuels or to operate with high-efficiency types of engines such as hybrid electric engines. The bill was referred to the Committee on Energy and Technology on February 12, 2013.

## II. Improved Health and Wellness

### A. Integrated school environmental health program; operations and facility-wide management

- **Green cleaning:**

Adopting a green cleaning policy can improve the indoor environmental quality for students, teachers, and staff, reducing instances of asthma and other illnesses that are a major cause of absenteeism. A green cleaning policy outlines the purchase and use of sustainable cleaning chemicals, best practices for mixing concentrates, the purchase and use of janitorial equipment, and assessment of cleaning performance. The impact of a green cleaning policy can include safe operations for custodial staff, a safe and healthy indoor environment for building occupants, and environmentally responsible purchasing and disposal of cleaning products and materials. Green cleaning supplies do not need to cost more money than conventional cleaning supplies.

*Example: Illinois [Public Act 095 - 0084](#)*

This bill requires the Illinois Green Government Coordinating Council (IGGCC), in consultation with other agencies, to establish and amend on an annual basis guidelines and specifications for environmentally-sensitive cleaning and maintenance products for use in school facilities. All elementary and secondary public and non-public schools shall establish a green cleaning policy and exclusively purchase and use environmentally-sensitive cleaning products pursuant to the guidelines and specifications. Schools may deplete their existing cleaning and maintenance supply stocks and implement the new requirements in the procurement cycle for the following school year.

- **Indoor Air Quality Management Program**

Improving indoor air quality can enhance the well-being of staff, teachers, and students and increase attendance rates, performance, and productivity. Legislation could require the development and implementation of an ongoing indoor air quality management program, based on the EPA's Building Education and Assessment Model (I-BEAM), a free tool to manage indoor air quality in buildings.

For more information: <http://www.epa.gov/iaq/largebldgs/i-beam/index.html>

*Example: Minnesota [HF270](#)*

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Representative Hausman introduced HF270 on January 31, 2013. This bill establishes the school energy conservation revolving loan program to provide financial assistance to school districts to make energy improvements in school buildings that reduce statewide greenhouse gas emissions and improve indoor air quality in schools. On May 17, 2013, the bill was not passed as amended with a 76-56 vote. A three-fifths majority (81) was needed to pass the bonding bill.

- **Integrated Pest Management Practices**

Pests can be harmful to school buildings and affect occupant health. Many of the pesticides used to deter pests are also unhealthy to building occupants. An integrated pest management plan is intended to protect students, teachers, and staff by reducing the application of harmful pesticides. Legislation could require the adoption of an integrated pest management plan based on the specifications outlined in the LEED for Existing Buildings: Operations and Maintenance rating system. Integrated pest management plans can be more effective than conventional pest control methods since they treat underlying causes of pest problems, and are frequently less expensive since they reduce pesticide application.

More information about integrated pest management best practices can be found at [www.ipminstitute.org](http://www.ipminstitute.org)

- **High standards of nutrition, fitness, and quantity of quality outdoor time**

**Example: The Washington, D.C. Healthy Schools Act of 2010**

The DC Healthy Schools Act of 2010 aims to improve the overall health and wellness of the public and charter school students in the District of Columbia, in addition to improving school learning conditions and building performance. The act includes nutrition guidelines for school meals, promotes increased physical activity and encourages new school and major renovation construction to aspire beyond the already required LEED Silver certification and achieve LEED Gold. The act also requires public disclosure about school nutrition, environmental testing, and health programs.

For more information: <http://dccouncil.us/images/00001/20100510112429.pdf>

### III. Effective Environment and Sustainability Education

- Use of the environment and sustainability to develop STEM content knowledge and thinking skills to prepare graduates for the 21<sup>st</sup> century technology-driven economy.

Requiring that schools produce environmentally literate graduates by instituting a graduation requirement can be a powerful and effective tool for advancing environmental literacy.

# GREEN SCHOOLS MENU OF OPTIONS FOR STATE LEGISLATORS

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**Example: [The Maryland State Department of Education](#)** established the nation's first environmental literacy graduation requirement. The Department requires local school systems to provide in public schools a comprehensive, multi-disciplinary environmental education program infused within current curricular offerings and aligned with the Maryland Environmental Literacy Curriculum to all enrolled students. Each local school system can design its own program, which will be reviewed by MSDE every 5 years.

**Example: [Washington](#)**

In 1990, the State Board of Education created a rule defining environmental education as part of Basic Education and mandating its instruction in public school at all grade levels in all subject matters ([WAC 392-410-115](#)). These standards describe what all students should know and be able to do in the area of Environmental and Sustainability Education. Consistent with the intent of the law governing environmental education in Washington, the WA Department of Education has created K-12 Integrated Environmental and Sustainability Learning Standards which are intended to be integrated into core content areas and across all grade levels and also align with the state's Indian Education curriculum.

- Development of civic engagement knowledge and skills, and students' application of these to address sustainability and environmental issues in their community.

**Example: Georgia [HR704](#)**

Representatives Drenner, Henson, Kaiser, and Stovall introduced HR704 on March 12, 2013. This is a resolution encouraging state-wide participation in [Green Apple Day of Service](#). The resolution was adopted the same day.

**Example: New York [AB264](#)**

Assembly Member Kavanagh introduced AB264 on January 9, 2013. This bill would require the department of education to establish an education for environmental sustainability program to teach children the importance of conserving and protecting our environment. The bill was referred to the Committee on Education on January 9, 2013. See companion bill, **New York** SB 1351 (referred to the Committee on Environmental Conservation on January 9, 2013).

**Example: Hawaii [SB952](#)**

Senators Nishihara, Baker, Ige, Keith-Agaran, Ruderman, Solomon, and Wakai introduced SB952 on January 18, 2013. This bill appropriates funds to implement and operate the 4-H program at the University of Hawaii to educate and support youth in agriculture careers as a means to promote community resilience and sustainability. The bill was referred to the Ways & Means Committee on February 13, 2013.



## Recent Green Schools State Legislative Action July 23, 2013

Since the beginning of 2013, the Center for Green Schools at the U.S. Green Building Council has followed **more than 125 bills** across **34 states** that seek to advance healthy, high-performing schools. At the time of this report, **at least 25** of these bills have been passed by state legislatures and/or signed into law, with many more still being debated this year.

**Arizona** State Senate President Andy Biggs signed a proclamation on April 22, 2013, in support of [Green Apple Day of Service](#). The proclamation states that the “Members of the Senate support and encourage the participation of Arizona Schools in the Green Apple Day of Service on Saturday, September, 28, 2013 as an action to engage their communities in our shared goal of ensuring healthy, safe and efficient places for all our students to learn.”

**Arizona** [HB 2605](#) was introduced by Representatives Mendez, Miranda, Gonzales, and Sherwood on February 13, 2013. This bill revises Section 34-451 of the Arizona statute relating to energy conservation standards for public buildings. It would amend the section to mandate that on or before July 1, 2018, school districts purchase at least ten percent of their energy requirements from green sources. For the purposes of this bill, green sources are defined as renewable and nonpolluting energy sources that include solar, wind, landfill gas and low-impact hydroelectric generation. The bill died upon the adjournment of the legislature on June 28, 2013. See companion bill, **Arizona** [SB 1013](#).

**Arizona** [HB 2606](#) was introduced by Representatives Mendez, Miranda, Gonzales, and Sherwood on February 12, 2013. This bill adds Section 15-250 to the Arizona statute which relates to green cleaning policy and purchasing of environmentally sensitive cleaning products. On or before December 31, 2014, all school districts and charters schools would be required to adopt a green cleaning policy, and also purchase and use environmentally sensitive cleaning products. If adopting such a policy is not economically feasible, the school district or charter school would be required to provide annual written notification to the Department of Education. The Department of Education has yet to determine guidelines and specifications for green cleaning policy. The bill died upon the adjournment of the legislature on June 28, 2013. See companion bill, **Arizona** [SB 1020](#).

**Arizona** [SB 1019](#) was introduced by Senator Ableser on January 14, 2013. This bill establishes the Green Public Schools Task Force, which among other functions would make recommendations relating to the establishment and financing of a system to ensure that existing public schools are retrofitted and that new public schools are constructed in a manner that promotes energy efficiency and sustainability. The bill died upon the adjournment of the legislature on June 28, 2013.

**Arizona** [SB 1271](#) was introduced by Senators Farley, Pancrazi, Steele, Ableser, Hobbs, Jackson, Tovar, Dalessandro, Gabaldón, and Otondoon on January 30, 2013. This bill relates to the solar grants program fund. If enacted, the Department of Education may provide grants to school districts that use solar technology to fund solar education programs. The bill died upon the adjournment of the legislature on June 28, 2013.



**Arkansas** [SB 1049](#) was introduced by Senator Elliott on March 11, 2013. This bill would amend the laws concerning the energy efficiency of public buildings owned or leased by a public agency or public school. The bill died in the Senate Committee at Sine Die adjournment.

**California** [AB 0039](#) was introduced by Assemblymember Skinner and Speaker Pérez on December 3, 2012. This bill would require the State Energy Resources Conservation and Development Commission to administer grants, loans, or other financial assistance to eligible institutions, including public schools, for the purpose of eligible projects that create jobs in California by reducing energy demand and consumption. The bill was re-referred to the Committee on Energy, Utilities, and Communications on June 27, 2013. A hearing was held on June 29, 2013.

**California** [AB 0078](#) was introduced by the Committee on Budget on January 10, 2013. This bill would amend sections of the Public Resources Code relating to energy and the implementation of Proposition 39. It would permit not more than 40 equal semiannual payments and authorization of no-interest loans and transfer \$28,000,000 from the Job Creation Fund to the Education Subaccount, which this bill would create in the State Energy Conservation Assistance Account, amongst other activities. On June 27, 2013, Senator Leno ordered the bill to inactive file and the measure has been held since June 29, 2013.

**California** [AB 0088](#) was introduced by Assemblymember Buchanan on January 10, 2013. This bill would propose a new pupil funding formula for the public school system, transferring decision-making power to local authorities. The bill grants authority to school districts to implement partnership academies specializing in clean technology and renewable energy businesses to further educate students on emerging environmentally-sound technologies. The bill was re-referred to the Committee on Education on May 7, 2013.

**California** [AB 0114](#) was introduced by Assemblymembers Salas and Pérez on January 14, 2013. With the passage of Ballot Measure Proposition 39 (the California Clean Energy Jobs Act) during the November 6, 2012, statewide general election, the people of California declared their intent to transfer \$550,000,000 annually, for 8 fiscal years 2013-14 to 2017-18, inclusive, for purposes of funding energy efficiency projects in public schools, universities, and other public facilities, for job training and workforce development, and for specified public-private partnerships. AB 114 is one of several current bills relating to the implementation of Proposition 39 and is focused on job training and workforce development priorities. The bill passed the Senate Committee on June 14, 2013.

**California** [AB 0239](#) was introduced by Assemblymember Hagan on February 5, 2013. This bill relates to energy efficiency upgrade projects in school facilities and would establish the California Clean Energy School Fund. The bill has been held in Committee since May 2, 2013. Reconsideration is granted.

**California** [AB 0846](#) was introduced by Assemblymember Achadjian on February 21, 2013. This bill would authorize a school district, county office of education, or charter school to voluntarily enter into an agreement with a Property-Assessed Clean Energy (PACE) financing program to support the financing, refinancing, or leasing of energy or water efficiency improvements, including distributed generation of renewable energy or electric vehicle charging infrastructure. The bill was re-referred to the Committee on Natural Resources on March 18, 2013.



**California [AB 1015](#)** was introduced by Assemblymember Hagman on February 22, 2013. This bill would provide an incentive grant to school districts to fund the use of high-performance designs and materials for schools or school districts executing a joint-occupancy agreement and would authorize the incentive grant to be used for high-performance components of a new construction or modernization project at any school site within the school district. A hearing scheduled for April 3, 2013 was subsequently cancelled by the bill sponsor.

**California [SB 0039](#)** was introduced by Senators De León and Steinberg on December 5, 2012. This bill would enact the Clean Energy Employment and Student Advancement Act of 2013 and which would establish a school district assistance program to distribute grants, on a competitive basis, for energy efficiency upgrade projects pursuant to the California Clean Energy Jobs Act (also known as Proposition 39). The bill was referred to the Committees on National Resources and Utilities & Commerce on June 17, 2013. The bill passed the Senate on June 19, 2013.

**California [SB 0064](#)** was introduced by Senator Corbett on January 10, 2013. This bill would require the State Energy Resources Conservation and Development Commission to develop and administer programs, to provide financial assistance to school districts, cities, and counties to install energy efficiency or clean energy technology in public schools and municipal facilities. The bill was re-referred to the Committee on Natural Resources on June 24, 2013. A hearing was held on June 26, 2013.

**California [SB 0073](#)** was introduced by the Committee on Budget and Fiscal Review on January 10, 2013. This bill would amend sections of the Public Resources Code relating to energy and the implementation of Proposition 39. It would permit not more than 40 equal semiannual payments and authorization of no-interest loans and transfer \$28,000,000 from the Job Creation Fund to the Education Subaccount, which this bill would create in the State Energy Conservation Assistance Account, amongst other activities. The bill was approved by the Governor and chaptered by the Secretary of State on June 29, 2013.

**California [SB 0267](#)** was introduced by Senator Pavley on February 13, 2013. This bill would require the State Energy Resources Conservation and Development Commission to develop and administer a financial assistance program to assist the California Community Colleges, the California State University, and the University of California with energy efficiency and clean energy onsite generation projects. The bill would require the commission to develop and adopt specific guidelines for the program. The bill would appropriate for the 2013–14 fiscal year an unspecified sum from the Clean Energy Job Creation Fund to the commission for the above purpose, thereby making an appropriation. The bill was referred to the Committee on Natural Resources and the Committee on Utilities and Commerce on June 17, 2013.

**California [SB 0590](#)** was introduced by Senator De León on February 22, 2013. This bill would establish the Classified School Employee Staff Development and Training Program which includes learning about school facility maintenance and operations: new research and best practices in the operations and maintenance of school facilities, including green technology and energy efficiency that help reduces the use and the costs of energy at school sites. The bill was referred to the Committee on Education on June 17, 2013. The bill passed the Senate on June 18, 2013.

**California [SB 0729](#)** was introduced by Senator Fuller on February 22, 2013. This bill would state the intent of the Legislature to implement the California Clean Energy Jobs Act. The bill was referred to the Committee on Rules on March 11, 2013.



**California** [SB 0811](#) was introduced by Senator Lara on February 22, 2013. This bill would require the use of green and energy-efficient building materials, installation of air filtration systems, and planting of trees on school property as part of the improvements for the State Highway Route 710 Corridor in Los Angeles. The bill was re-referred to the Committee on Transportation on June 24. A hearing was scheduled on July 1, but was canceled by the author.

**Colorado** [SB 0088](#) was introduced by Senator Steadman on January 28, 2013. This bill appropriated \$155,981 from the Public School Energy Efficiency Fund. The bill was signed into law on February 19, 2013.

**Colorado** [SB 0279](#) was introduced by Senator Kerr on April 18, 2013. This bill requires all state school renovation and construction be matched with the highest energy efficiency standards starting January 1, 2014. The bill was signed into law on June 5, 2013.

**Connecticut** [HB 6651](#) was introduced by the Commerce Committee on March 14, 2013. This bill would implement the recommendations of the State of Connecticut Brownfields Working Group. The bill was transmitted by the Secretary of the State to the Governor on June 27, 2013.

**Delaware** [SB 0132](#) was introduced by Senator Marshall on June 13, 2013. This bill enhances employment opportunities for Delaware's work force by establishing a trust fund. This fund, the Delaware Works Trust Fund ("DWTF"), shall be used to support un-funded capital projects in Delaware that improve Delaware's educational system and infrastructure, with priority given to those that promote energy and resource efficiency. The DWTF shall be funded by a fuel tax. The bill was referred to the Senate Finance Committee on June 13, 2013.

**Florida** [HB 1341](#) was introduced by Representative Diaz on March 4, 2013. This bill will require charter schools to follow the Florida Building Code, which includes an energy-consumption analysis, as it relates to new construction. The bill died in the Choice & Innovation Subcommittee on May 3, 2013. A companion bill, [HB 7009](#), passed on July 1, 2013.

**Florida** [HB 7069](#) was introduced by the Rules & Calendar Committee and Representative Artiles on March 8, 2013. This bill would require that all public buildings, including schools, comply with a sustainable building rating system or a national model green building code. It also states that St. Petersburg College may work with the construction industry to develop an online continuing education curriculum for use statewide by builders constructing energy-efficient and sustainable public sector buildings. A companion bill, [CS/SB 690](#) passed on March 21, 2013.

**Florida** [SB 1050](#) was introduced by Senator Flores on February 20, 2013. This bill would authorize district school boards to voluntarily comply with the State Requirements for Educational Facilities of the Florida Building Code for new construction, remodeling, and renovation projects. The bill was introduced as Senate Joint Resolution 76 on March 5, 2013. The bill died in the Education Committee on May 3, 2013.

**Georgia** [HR 0704](#) was introduced by Representatives Drenner, Henson, Kaiser, and Stovall on March 12, 2013. This is a resolution encouraging state-wide participation in the [Green Apple Day of Service](#). The resolution was adopted the same day.





**Hawaii [HB 0011](#)** was introduced by Representative Thielen on January 16, 2013. This bill would authorize individual public schools to enter into energy performance contracts. It also would require that funding not decrease due to the energy savings. On February 5, 2013, the Committee on Energy & Environmental Protection recommended that the measure be deferred.

**Hawaii [HB 0865](#)** was introduced by Representative Souki on January 24, 2013. This bill would establish a three-year pilot program to generate revenue through the lease of public school lands for public purposes. A conference committee meeting was set to reconvene at 4:00PM on April 26, 2013.

**Hawaii [HB 1378](#)** was introduced by Representative Johanson on January 24, 2013. This bill would appropriate funds for capital improvement projects in the 31st House district, including a LEED certified Science, Technology, Engineering, & Math (STEM) Center. The bill was referred to the Committee on Finance on January 28, 2013.

**Hawaii [SB 0762](#)** was introduced by Senators Solomon, Dela Cruz, and Kahele on January 18, 2013. This bill would appropriate funds for the Kauhale O'iwi o Pu'ukapu complex, the site of the Kanu o ka 'Aina new century public charter school and other educational community resources. The first building, built in 2009, models an environmentally conscious green building approach. The bill was referred to both the Committee on Education and Ways & Means on January 22, 2013.

**Hawaii [SB 0952](#)** was introduced by Senators Nishihara, Baker, Ige, Keith-Agaran, Ruderman, Solomon, and Wakai on January 18, 2013. This bill appropriates funds to implement and operate the 4-H program at the University of Hawaii to educate and support youth in agriculture careers as a means to promote community resilience and sustainability. The bill was referred to the Ways & Means Committee on February 13, 2013.

**Hawaii [SB 1096](#)** was introduced by Senator Kim on January 24, 2013. This bill would authorize that public school redevelopment utilize energy efficiency and other sustainability measures. On February 11, 2013, the Committee on Economic Development, Government Operations and Housing deferred the measure.

**Illinois [HB 0506](#)** was introduced by Representative Madigan on January 24, 2013. This bill makes a technical change in a section of the School Code concerning school energy conservation. The bill was re-referred to the Rules Committee on April 19, 2013.

**Illinois [HB 2755](#)** was introduced by Representative Brown on February 21, 2013. This bill amends the Illinois Municipal Code in a Section that allows non-home rule municipalities to impose certain occupation and use taxes for expenditure on public infrastructure, amends the definition of "public infrastructure" to include public schools in the City of Shelbyville. The bill was tabled by Senator Rose on May 23, 2013.

**Illinois [HB 3618](#)** was introduced by Representatives Madigan and Crespo on March 8, 2013. This bill proposes appropriations for the 2013 fiscal year. It includes grants to schools districts for energy efficient projects and for the acquisition, construction, rehabilitation, renovation and equipping of charter schools to earn LEED Silver certification. The bill was assigned to the Appropriations – General Services Committee on March 11, 2013.

**Illinois [HR 0353](#)** was introduced by Representative Wheeler on May 15, 2013. This bill recognizes



the 2013 Dream Machine Recycle Rally. The resolution was adopted on May 16, 2013.

**Illinois** [SB 2480](#) was introduced by Senator Cullerton on March 8, 2013. This bill makes appropriations for the fiscal year beginning July 1, 2013, including provisions for school construction. The bill would also specifically make available up to \$12,000,000 for modernization and construction of charter schools that achieve LEED silver certification. The bill was referred to the Committee on Assignments on March 8, 2013.

**Indiana** [SB 0586](#) was introduced by on Senator Charbonneau on January 15, 2013. This bill would require that all state public works projects be designed, constructed, operated, and maintained to achieve maximum energy efficiency to the extent that this goal can be accomplished on a cost effective basis considering construction and operating costs over the life cycle of the building or structure. The bill was signed into law on May 11, 2013.

**Iowa** [HF 0237](#) was introduced by Representative Kelley on February 18, 2013. This bill would require a school district commencing the design or construction of, or commencing the substantial renovation of, an elementary or secondary public school building on or after July 1, 2013, to apply for LEED certification. The bill was referred to the Subcommittee on Commerce on February 18, 2013.

**Iowa** [HF 0241](#) was introduced by Representative Kelley on February 18, 2013. This bill would establish an energy efficiency training curriculum applicable to designated school district employees. The bill was referred to the Subcommittee on Education on February 20, 2013.

**Iowa** [HF 0283](#) was introduced by Representative Kelley on February 20, 2013. This bill would establish an energy audit program with regard to elementary and secondary public school buildings. The bill was referred to the Subcommittee on Education on February 20, 2013.

**Iowa** [HF 0326](#) was introduced by Representative Kajtazovic on February 27, 2013. This bill would create an act requiring the development of guidelines for the attainment of high-performance certification applicable to elementary and secondary public school buildings. The bill was referred to the Subcommittee on Education on February 27, 2013.

**Iowa** [HF 0497](#) was introduced by Representative Kelley on March 7, 2013. This bill would create a wind energy generation revolving loan and grant program for schools and fund within the Iowa Energy Center, expanding authorized uses of physical plant and equipment revenue, and making an appropriation. The bill was referred to the Subcommittee on Commerce on March 19, 2013.

**Iowa** [HR 0026](#) was introduced by Representative Kelley on March 13, 2013. This resolution states that the "benefits of green schools transcend political boundaries" and it "supports the establishment of policies that promote green schools and establishes a goal of every child being provided an opportunity to attend green primary and secondary schools." That same day a resolution was filed and laid over under Rule 25. On April 6, 2013, the rule was adopted.

**Kentucky** [HR 0069](#) was introduced by Representative Smart on February 7, 2013. This bill would promote the benefits of green schools, stating that the Kentucky General Assembly "agrees to work together toward common sense solutions and to pass policies that effectively promote the benefits of green schools to our communities and advance the vision that every child will have the option to attend a green school within this generation" and that "by 2030, and within this



generation of school-aged children, there will be at least one green school in each of the 120 counties in this great Commonwealth of Kentucky.” The resolution was adopted by voice vote on March 4, 2013.

**Louisiana [SB 0067](#)** was introduced by Senator Peterson on March 26, 2013. This bill will create and provide for the Louisiana Statewide Education Facilities Authority in the Department of Education; to provide for a board of commissioners and an advisory council and for their membership, powers, duties, and functions; to provide for program participation; to provide relative to ownership and control of public school facilities funded through the authority; to provide relative to implementation and funding; and to provide for related matters. The authority would establish design specifications for school facility repair, renovation, and construction projects approved prioritizing energy efficiency and construction materials. The bill died upon the adjournment of the legislature.

**Maine [LD 1348](#)** was introduced by Representative Dorney on April 9, 2013. This bill would encourage school administrative units to increase their energy savings. The bill became law without the Governor on June 26, 2013.

**Maine [LD 1565](#)** was introduced by Representative Carey on June 19, 2013. This bill reassigns the responsibilities for code enforcement officer training and certification from the Department of Economic and Community Development, Office of Community Development to the Department of Environmental Protection, Bureau of Land Quality Control. Current law partially funds the position from the Maine Code Enforcement Training and Certification Fund, which receives fees and surcharges imposed for the examination of plans for construction, reconstruction or repairs, plumbing inspections and training and certification of municipal building officials and code enforcement officers. Current law also provides that if insufficient funds are available to support the training and certification program, the program is discontinued. This bill removes that provision. The bill was carried over to any Special or Regular Session of the 126th Legislature pursuant to Joint Order HP 114 on July 10, 2013.

**Maryland [HB 0101](#)** was introduced by the Speaker of the House on January 16, 2013. This bill authorizes the creation of a State Debt, the proceeds of which would be used for necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of the State, for acquiring specified real estate in connection therewith, and for grants to specified subdivisions and other organizations for specified development and improvement purposes, subject to specified requirements. The bill, which includes provisions for school construction, including a \$25,000,000 appropriation for school construction projects that improve energy efficiency, was approved by the Governor on May 16, 2013.

**Maryland [HB 0103](#)** was introduced by Delegate Morhaim on January 16, 2013. This bill states that “In these times of tight school board budgets, the generation of electricity could provide local school boards with an additional funding source or cost-saving measure,” and would require an evaluation based on life cycle costs of the use of solar technologies for the construction or major renovation of school buildings. The bill was approved by the Governor on May 2 and took effect on June 1, 2013.

**Maryland [HB 860](#)** was introduced by the Baltimore City Delegation in the House on February 7 and would allocate approximately \$1 billion in investment in new and modernized school buildings for Baltimore City Public Schools. Companion bill **Maryland [SB 743](#)** passed in the Senate



on March 29 and was first read in the House on April 8, 2013. The bill was approved by the Governor on May 16, 2013.

**Massachusetts** [HB 2978](#) was introduced by Representative Sciortino on January 18, 2013. This bill designates the reimbursement percentage for approved school projects that are designed and constructed to meet or exceed LEED Silver certification. A hearing was scheduled for July 9, 2013.

**Massachusetts** [HB 0745](#) was introduced by Representative Koczera on January 22, 2013. This bill would reinstate the Clean Environment Fund to reduce waste and protect the environment in the Commonwealth. The bill was referred to the committee on Environment, Natural Resources and Agriculture on January 22, 2013.

**Massachusetts** [SB 0390](#) was introduced by Senator Pacheco on January 22, 2013. This bill would provide funding for an energy efficiency and clean energy program in public school buildings in the Commonwealth. The bill was referred to Joint Committee on Environment, Natural Resources and Agriculture on January 22, 2013.

**Massachusetts** [SB 1016](#) was introduced by Senator Flanagan on January 15, 2013. This bill would create the Green Cleaning Act and require that school districts purchase environmentally-preferable cleaning and maintenance products. A hearing was scheduled for July 9, 2013.

**Michigan** [HB 4232](#) was introduced by Representative Ananich on February 12, 2013. This bill would amend 2008 PA 295, the "Clean, renewable, and efficient energy act," to authorize funds to school districts for weatherizing, upgrading, and retrofitting elementary and secondary schools to improve energy efficiency, decrease fuel costs, increase use of alternative fuels, or decrease emissions of air pollutants. These funds would also be used to retrofit school buses to operate on compressed natural gas or other alternative fuels or to operate with high-efficiency types of engines such as hybrid electric engines. The bill was referred to the Committee on Energy and Technology on February 12, 2013.

**Michigan** [HB 4369](#) was introduced by Representative Lyons on March 5, 2013. This bill would establish the Achievement Authority and allow it to contract with a qualified provider for energy conservation improvements to facilities, in the same manner as a school district. The bill was referred to the Committee on Education on April 9, 2013.

**Minnesota** [HF 0270](#) was introduced by Representative Hausman on January 31, 2013. This bill establishes the school energy conservation revolving loan program to provide financial assistance to school districts to make energy improvements in school buildings that reduce statewide greenhouse gas emissions and improve indoor air quality in schools. On May 17, 2013, the bill was not passed as amended with a 76-56 vote. A three-fifths majority (81) was needed to pass the bonding bill.

**Minnesota** [HF 0320](#) was introduced by Representative McNamar on February 4, 2013. This bill would permit school districts to repay energy conservation loans from levies made without voter approval. On March 6, 2013, it was recommended that this bill pass as amended and be re-referred to the Committee on Education Finance.



**Minnesota** [HF 1019](#) was introduced by Representatives Metsa, and Anzelc on February 28, 2013. This bill would create the school district energy conservation program pilot project and appropriate funds. The Committee on Education Finance held a hearing on April 9, 2013.

**Minnesota** [SF 0601](#) was introduced by Senators Dziedzic, Tomassoni, Sparks and Stumpf on February 21, 2013. This bill would establish a school energy conservation revolving loan program to provide financial assistance to districts for energy improvements in school buildings and to reduce greenhouse emission. It was referred to the Committee on Finance on March 7, 2013.

**Minnesota** [SF 1454](#) was introduced by Senators Schmit, Marty, Brown, Dibble, Westrom on March 18, 2013. This bill would provide renewable energy research funding for the University of Minnesota extension. The bill was referred to the Committee on Environment and Energy on March 18, 2013.

**Mississippi** [HB 1296](#) was introduced by Representative Cockerham on January 21, 2013. This bill would create the Energy Sustainability and Development Act, which would provide technical assistance to the Mississippi Department of Education so that the department can assist local school districts in developing a detailed energy management plans. The bill was approved by the Governor on April 23, 2013.

**Missouri** [HB 0501](#) was introduced by Representative McNeil on February 7, 2013. This bill would establish the High Performance Energy Efficient Schools Transparency Act, requiring each school district to earn and annually maintain, for each of the district's school and administration buildings, the Energy Star. A public hearing for the bill was carried out on April 17, 2013.

**Missouri** [HJR 0014](#) was introduced by Representative Jones on January 23, 2013. This bill would fund among other projects those resulting in the reduction of energy costs. The bill was read for a second time and referred to the Senate Appropriations Committee on May 15, 2013.

**Montana** [HB 0015](#) was introduced by Representative McClafferty on May 4, 2012. This bill would distribute grants to assist schools in addressing energy efficiency and promote energy conservation and reduction. A line-item veto override failed on June 3, 2013. See companion bill, [Montana LC 0108](#) (died upon the adjournment of the legislature).

**Montana** [HB 0577](#) was introduced by Representative Osmundson on February 27, 2013. This bill would prioritize funding in the school technology and facilities account. The bill died in Standing Committee on April 24, 2013. See companion bill, [Montana LC 2139](#) (died upon the adjournment of the legislature).

**Montana** [SJ 0029](#) was introduced by Senator Phillips on April 4, 2013. This bill requests an interim study to investigate the benefits and impacts of adopting green school standards. The bill died upon the adjournment of the legislature. See companion bill, [Montana LC 1540](#) (died upon adjournment of the legislature).

**Nebraska** [LB 0401](#) was introduced by Senator Lautenbaugh on January 18, 2013. This bill would establish the School District Purchasing Act. This act would require certain districts to adhere to purchasing and bidding provisions, including considerations for energy efficiency. The bill was scheduled for a hearing on February 19, 2013.



**Nebraska** [LR 0166](#) was introduced by Senator Mello on April 30, 2013. This bill establishes a committee tasked with the study of issues surrounding the creation of revolving funds to finance energy conservation measures in Nebraska K-12 school districts. This study shall include, but not be limited to, an examination of the potential financial, environmental, and educational benefits of such revolving funds. The bill was referred to the Committee on Education on May 28, 2013.

**Nevada** [AB 0239](#) was introduced by Assembly Member Kirkpatrick on March 12, 2013. This bill creates energy-related tax incentives, with implications for school facilities. The bill was approved by the Governor on June 11, 2013.

**Nevada** [AB 0416S](#) was introduced by Assembly Members Bobzien, Leslie, Horsford, and Schneider on February 4, 2013. This bill revises the Solar Energy Systems Incentive Program, the Wind Energy Systems Demonstration Program, and the Waterpower Energy Systems Demonstration Program. The bill died upon the adjournment of the legislature.

**New Jersey** [AB 2313](#) was introduced by Assemblymember Brown on June 13, 2013. This bill provides priority status to a solar electric power generation system that is installed on the property of a State entity, school district, county, county agency, county authority, municipality, municipal agency, or municipal authority and that is expected or intended to provide energy savings to that public entity, over a solar electric power generation system that is installed on private property, provided the applicable electric public utility has already determined that the public entity's solar electric power generation system is eligible for net metering and has received Board of Public Utilities approval to be connected to the electric distribution system. The bill was referred to the Committee on Telecommunications and Utilities on June 13, 2013.

**New Jersey** [SB 2871](#) was introduced by Assemblymember Addiego on June 17, 2013. This bill provides priority status to a solar electric power generation system that is installed on the property of a State entity, school district, county, county agency, county authority, municipality, municipal agency, or municipal authority and that is expected or intended to provide energy savings to that public entity, over a solar electric power generation system that is installed on private property, provided the applicable electric public utility has already determined that the public entity's solar electric power generation system is eligible for net metering and has received Board of Public Utilities approval to be connected to the electric distribution system. The bill was referred to the Committee on Environment and Energy on June 17, 2013.

**New Mexico** [SM 0046](#) was introduced by Senator Campos on February 13, 2013. This memorial requires the energy, minerals and natural resources and the public education departments to work with the rural, necessarily small, school districts to develop plans for renewable energy and energy efficiency programs in those school districts with membership of less than three hundred students. The bill was passed and enacted by the Senate on April 10, 2013.

**New York** [AB 0264](#) was introduced by Assembly Member Kavanagh on January 9, 2013. This bill would require the department of education to establish an education for environmental sustainability program to teach children the importance of conserving and protecting our environment. The bill was referred to the Committee on Education on January 9, 2013. See companion bill, **New York** SB 1351 (referred to the Committee on Environmental Conservation on January 9, 2013).



**New York [AB 1765](#)** was introduced by Assembly Member Englebright on January 9, 2013. This bill would require the plans and specifications for the siting, erection, purchase, repair, enlargement or remodeling of school buildings in every school district to be subject to the approval of the commissioner of education for a determination that such plans and specifications are consistent with the standards for "green buildings" and for healthy and high performance schools. The bill was referred to the Committee on Education on January 9, 2013.

**New York [AB 3676](#)** was introduced by Assembly Member Lupardo on January 28, 2013. This bill would establish the green schools New York act, requiring schools to comply with the criteria established in the department's manual of planning standard. The bill was referred to the Committee on Ways and Means on June 19, 2013.

**New York [AB 4117](#)** was introduced by Assembly Member Thiele on January 31, 2013. This bill would require state and local agencies to establish a priority processing procedure for the review of construction permits which meet certain energy and environmental design standards, including LEED. The bill was referred to the Committee on Local Governments on January 31, 2013. See companion bill, **New York SB 3308**.

**New York [AB 4133](#)** was introduced by Assembly Member Englebright on February 1, 2013. This bill provides for mandatory initial and ongoing training for members of boards of education on the siting, erection, purchase, repair, enlargement and remodeling of school buildings, which meet the requirements of health and high performance schools. The bill was referred to the Committee on Education on February 1, 2013.

**New York [AB 4640](#)** was introduced by Assembly Member Englebright on February 7, 2013. This bill would amend the education law and the state finance law, in relation to the procurement and use of environmentally sensitive commodities and services. The bill was referred to the Committee on Education on February 7, 2013. See companion bill, **New York SB 1471** (referred to the Committee on Education on January 9, 2013).

**New York [AB 5619](#)** was introduced by Assembly Member Englebright on March 4, 2013. This bill would provide financing for energy conservation improvements for schools. The bill was referred to the Committee on Local Governments on March 4, 2013.

**New York [AB 6046](#)** was introduced by Assembly Member Sweeny on March 13, 2013. This bill would amend the state finance law, the economic development law and the environmental conservation law, in relation to the state procurement process and to healthy and green procurement. The bill was referred to the Committee on Infrastructure and Capital Investment on April 24, 2013.

**New York [AB 7830](#)** was introduced by Assemblyperson Cymbrowitz on June 5, 2013. This bill establishes the school energy efficiency program, wherein grants may be awarded to eligible entities for the reimbursement of allowable costs incurred in the purchase and installation of certain energy efficiency technology. The bill was referred to the Committee on Energy on June 5, 2013.

**New York [SB 4766](#)** was introduced by Senator Gipson on April 23, 2013. This bill amends the education law, in relation to requiring that the siting, erection, purchase, repair, enlargement and remodeling of school buildings meet the requirements of healthy and high



performance schools. The bill was referred to the Committee on Education on April 23, 2013.

**New York** [SB 5065](#) was introduced by Senator Latimer on May 7, 2013. This bill amends the education law, in relation to the requirements for public bidding in conjunction with and the rate of building aid for the construction, reconstruction, rehabilitation or improvement of educational facilities in the city of Yonkers; and in relation to broadening the scope of educational facilities for such construction, reconstruction, rehabilitation or improvement. The bill was recommitted, enacting the stricken clause on June 12, 2013.

**North Carolina** [HB 0818](#) was introduced by Representative Hager on April 11, 2013. This bill empowers the Board of Governors of The University of North Carolina to authorize any constituent institution listed in subsection (e) of this section to implement an energy conservation measure without entering into a guaranteed energy savings contract. The bill was re-referred to the Committee on Finance on May 9, 2013.

**North Carolina** [HB 0960](#) was introduced by Representative Elmore on April 17, 2013. This bill requires local boards of education to account for several environmental factors, including policies addressing pesticide use and cleaning materials and the environmental education of its students. The bill was referred to the Committee on Education on April 18, 2013.

**North Carolina** [SB 0474](#) was introduced by Senators Meredith and Walters on March 27, 2013. This bill would provide for the construction, leasing, and operation of Net-Zero Energy School Facilities that will produce renewable energy sufficient to return energy back to the utility grid equal to that consumed by the school. The bill was referred to the Committee on Education on March 28, 2013.

**Oklahoma** [HB 1990](#) was introduced by Representative Brumbaugh on February 4, 2013. This bill relates to the operation, management and oversight of property, construction and facilities. The Office of Management and Enterprise Services (OMES) has indicated the measure is a continuation of on-going efforts to improve the efficiency and effectiveness of the operation and management of state facilities and construction activity. It is believed that improvements in efficiency will result in lower cost service delivery and other costs related to state properties. The bill was approved by the Governor on May 16, 2013.

**Oregon** [HB 2711](#) was introduced by Representative Huffman on February 4, 2013. This bill would establish the Oregon School Facilities Task Force which would study status of public school facilities and make recommendations for funding mechanisms that will meet capital needs of public school facilities. A public hearing was held on March 6, 2013.

**Oregon** [SB 0427](#) was introduced by Senator George on January 14, 2013. This bill relates to the collection of public purpose charge from retail electricity consumers. The bill was referred to the Committee on Environment and Natural Resources on January 22, 2013.

**Pennsylvania** [HB 0719](#) was introduced by Representative Gillespie on February 13, 2013. This bill amends the Public School Code of 1949, in grounds and buildings, providing for a prototypical school facility design clearinghouse. The bill was referred to the Committee on Education on February 13, 2013. See companion bill, **Pennsylvania** [SB 0640](#), introduced by Senator Waugh on March 8, 2013.





**Pennsylvania** [HB 0535](#) was introduced by Senator Leach on February 21, 2013. This bill would amend the state's Education Code to exempt monies paid to build a LEED compliant school from consideration. The bill was referred to the Committee on Education on February 21, 2013.

**Pennsylvania** [SB 0680](#) was introduced by Senator Corman on March 13, 2013. This bill provides for the fiscal year 2012-2013 capital budget, itemizing public improvement projects, including green building projects. The bill was re-reported as amended on June 29, 2013.

**Tennessee** [HB 0115](#) was introduced by Representative Gilmore on January 30, 2013. This bill would establish a green public schools task force to develop a model green cleaning policy and to assist public schools in achieving LEED certification. The bill was taken off notice for Agriculture and Natural Resources Subcommittee on March 27, 2013. See companion bill, **Tennessee** SB 0507.

**Tennessee** [HB 0507](#) was introduced by Representative Sargent on January 30, 2013. This bill makes appropriations for the fiscal year including funding for the Energy Efficient Schools Initiative. The bill became Pub. Ch. 453 on May 22, 2013. See companion bill, **Tennessee** SB 0502.

**Tennessee** [HB 0794](#) was introduced by Representative Matheny on February 1, 2013. This bill would extend the energy efficient schools council until June 30, 2014. The bill was signed by the Governor on May 13, 2013. See companion bill, **Tennessee** SB 0334 (became Pub. Ch. 333).

**Tennessee** [HJR 0127](#) was introduced by Representative Cooper on February 21, 2013. This bill encourages inclusion of energy conservation curricula in K-12 education. It passed the second House consideration and was referred to the Senate Education Committee on March 21, 2013.

**Texas** [HB 0546](#) was introduced by Representative Strama on February 13, 2013. This bill relates to the creation of renewable energy reinvestment zones and the abatement of ad valorem taxes on property of a renewable energy company located in such a zone. The bill was left pending in subcommittee on May 16, 2013.H

**Texas** [HB 3214](#) was introduced by Representative Strama on March 19, 2013. This bill relates to the creation of an incentive program for solar and wind-powered distributed electric generation for public school property. The bill was left pending in committee on April 17, 2013.

**Texas** [HB 3843](#) was introduced by Representative Fischer on March 25, 2013. This bill relates to providing, facilitating, or aiding the use of solar power or other alternative energy source in public schools. The bill was referred to the Public Education Committee on March 25, 2013.

**Texas** [SB 0533](#) was introduced by Senator Zaffirini on February 20, 2013. This bill relates to a review of cost savings to state agencies and institutions of higher education under energy savings performance contracts. The bill was signed by the Governor on June 14, 2013.

**Texas** [SB 1727](#) was introduced by Senator Duell on March 25, 2013. This bill provides funds for the clean school bus program. The bill was signed by the Governor on June 14, 2013.

**Washington** [SB 5753](#) was introduced by Senators Hobbs, Tom, Hewitt, King, and McAuliffe on February 13, 2013. This bill would require that all major facility projects of public school districts receiving any state funding must be designed and constructed to at least the LEED silver standard



or the Washington sustainable school design protocol. The bill was reintroduced and retained in present status by resolution on May 13, 2013.

**Washington** [SB 5901](#) was introduced by Senators Litzow and Tom on April 5, 2013. This bill would require that all major facility projects of public school districts receiving any state funding must be designed and constructed to at least the LEED silver standard or the Washington sustainable school design protocol. The bill was reintroduced and retained in present status by resolution on May 13, 2013.

**Wyoming** [SF 0055](#) was introduced by the Joint Education Interim Committee on January 8, 2013. This bill initiates development of a statewide energy and natural resource education initiative for use in public education. The bill includes an appropriation of \$75,000 to acquire necessary professional expertise, and was signed by the Governor on March 13, 2013.