

February 24, 2009

H 282. GREEN SCHOOL CONSTRUCTION/LOAN FUND. Filed 2/24/09. *TO BROADEN THE SCOPE OF THE SUSTAINABLE ENERGY-EFFICIENT BUILDINGS PROGRAM TO INCLUDE PUBLIC SCHOOL BUILDINGS, TO REQUIRE THE STATE ENERGY OFFICE TO DEVELOP AND MAINTAIN SUSTAINABLE SCHOOL DESIGN PROTOCOL STANDARDS, TO CREATE AND APPROPRIATE FUNDS TO THE GREEN SCHOOL CONSTRUCTION LOAN FUND, AND TO MAKE CONFORMING CHANGES.*

Enacts new GS 115C-521.1 creating the Green School Construction Loan Fund, under the control and direction of the Department of Public Instruction (DPI), to provide local school administrative units (local units) with no-interest loans for energy-efficient and sustainable construction projects, with priority given to projects that result in the greatest reduction in energy and water usage. Sets forth specific purposes for which the loans may be used. Requires that DPI, after consulting with the State Energy Office of the Department of Administration, adopt rules to administer the Loan Fund and establish prioritization for loans, maximum loans, application, and award criteria and schedules. Effective July 1, 2009.

Enacts new GS 115C-426.3 to require local units participating in the Sustainable Energy-Efficient Buildings Program (Program) under Article 8C (Performance Standards for Sustainable, Energy-Efficient Public Buildings) of GS Chapter 143 to monitor and report utility consumption to the Office of State Construction. Amends GS 115C-47 to add the requirement that local boards of education comply with the design and construction requirements under the Program in sustainable energy-efficient school buildings.

Directs the State Energy Office to develop the North Carolina sustainable school design protocol standards, to be used instead of the North Carolina Energy Guidelines for School Design and Construction, for the construction of all new school buildings and for repairing old school buildings. Amends GS 115C-521 (erection of school buildings) to encourage the consideration of ways to minimize the use of energy and water in new school buildings, as well as when considering the feasibility and cost of renovating old school buildings to include that goal. Makes conforming changes. Amends GS 143-135.37 to provide that every local unit major facility construction or renovation project for which the unit receives funding in the state capital budget is allowed to design and construct the building and water system in accordance with the North Carolina sustainable design protocol standards developed in GS 115C-521. Provides that in that event, those construction or renovation requirements are in lieu of the requirements for energy efficiency and water use under (b) and (c) of GS 143-135.37.

Makes conforming changes to Article 8C of GS Chapter 143. Also allows the State Board of Education to adopt rules or architectural or engineering standards as needed to implement the Program.

Effective, beginning on January 1, 2010, for contracts for major facility construction and renovation projects, as defined in GS 143-135.36, involving school buildings that have not received project approval from the Superintendent of DPI prior to July 1, 2010.

Effective July 1, 2009, appropriates \$1 million for 2009-10 and \$1 million for 2010-11 from the General Fund to the Green School Construction Loan Fund to be used for loans to local units.

Intro. by Harrison, Glazier, Cotham, Fisher. GS 115C, 143, APPROP

June 18, 2009

H 282. GREEN SCHOOL CONSTRUCTION/LOAN FUND. Filed 2/24/09. House committee substitute makes the following changes to 1st edition. Deletes amendments to GS 143-135.35, GS 143-135.36, GS 143-135.37, and GS 143-135.39(h), which included providing (1) that every local unit major facility construction or renovation project for which the unit receives funding in the state capital budget is allowed to design and construct the building and water system in accordance with the North Carolina sustainable design protocol standards developed in GS 115C-521 and (2) that the State Board of Education may adopt rules or architectural or engineering standards as needed. Also deletes that the State Energy Office must develop the North Carolina sustainable school design protocol standards, to be used instead of the North Carolina Energy Guidelines for School Design and Construction, for the construction of all new school buildings and for repairing old school buildings.

Reorganizes remaining sections. Provides in proposed GS 115C-47(28b) that local boards may (was, shall) comply with the design and construction requirements *established by the Sustainable Energy-Efficient Buildings Program* pursuant to Article 8C of GS Chapter 143. Reorganizes proposed amendments to GS 115C-521(a).

Clarifies in subsection (b) that the acquisition and installation of relocatable or mobile classroom units requires conducting a life-cycle cost analysis as defined in GS 143-64.11 (was, the acquisition and installation of these units are subject to the provisions of Part 1 of Article 3B of GS 143, Energy Policy and Life-Cycle Cost Analysis). Also makes conforming changes to GS 115C-521(c).

Amends proposed GS 115C-521.2 (was, GS 115C-521.1) by deleting that the Green School Construction Loan Fund (Fund) is to be used to provide no-interest loans to local school administrative units for all or part of the incremental cost of designing and constructing a new school facility or a major renovation of an existing school in accordance with the North Carolina sustainable school design protocol standards. Also makes technical and clarifying changes.

Effective July 1, 2009, appropriates \$2 million of the American Recovery and Reinvestment Act of 2009 funds appropriated in the Appropriations Act of 2009 to the State Energy Office to be transferred to the Fund. The previous edition appropriated \$1 million for 2009-10 and \$1 million for 2010-11 from the General Fund to the Fund.

Provides that amendments to GS 115C-521(c) and new GS 115C-521.2 are effective July 1, 2009. Deletes that the remaining provisions of the act, which are effective January 1, 2010, apply to contracts for major facility construction and renovation projects involving school buildings that have not received project approval from the Superintendent of Public Instruction before to July 1, 2010.