To: Environment Prot, Cons and Water Res

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2008

By: Senator(s) Moffatt

SENATE BILL NO. 3007

AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND
ADMINISTRATION TO USE GREEN BUILDING STANDARD FOR CERTAIN MAJOR
FACILITY PROJECTS; TO PROVIDE THAT ENERGY-EFFICIENCY STANDARDS
SHALL NOT DISCRIMINATE AGAINST WOOD PRODUCTS GROWN OR MANUFACTURED
IN MISSISSIPPI OR THE UNITED STATES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) For the purposes of this section:

(a) "Bureau" means the Bureau of Building, Grounds and
Real Property Management of the Department of Finance and
Administration.

(b) "Green building" means a building that:

(i) Is developed and renewed on a regular basis
through a consensus-based process, in which all interested parties
can participate;

(ii) Requires clearly defined design documentation
to demonstrate compliance;

(iii) Requires compliance to be validated by an
independent third party;

(iv) Requires the development of sustainable sites
avoiding the conversion of prime agricultural lands or wetlands,
regenerating brownfield sites, or those that result in
regenerative benefits to the natural environment;

(v) Requires specific goals in the efficient use
of water resources that promote application of new wastewater
technologies;

(vi) Requires specific goals for significant
reductions in energy use, especially nonrenewable energy sources,
with enhanced performance assured through commissioning of building systems;

(vii) Promotes the use of renewable energy sources;

(viii) Requires reduced use of nonrenewable natural resources through the reuse of existing structures and materials, reductions in construction waste, promotion of recycled content materials, and use of materials independently certified as from sustainable sources;

(ix) Requires specific goals for improved indoor environmental quality through enhanced indoor air quality, thermal comfort, acoustics, daylighting, and pollutant source control and use low emission materials and building system controls;

(x) Promotes the development and application of innovative designs and collaborative processes intended to improve environmental performance;

(xi) Recognizes the life cycle value of a community or project in addition to construction first costs, including assessment of impact on climate change, acid rain, water pollution, resource depletion, and toxicity factors;

(xii) Utilizes life cycle assessment data as the basis for design and construction decision making;

(xiii) Acknowledges national, regional, and bioclimatic differences;

(xiv) Reduces (and eventually eliminates) on-site and off-site toxic elements in the built environment;

(xv) Requires specific measurable reductions in CO2 production in the built environment; and

(xvi) Requires documentation of actual building energy and operational performance.

(c) "Major facility project" means either:
(i) A building construction project that is more than five thousand (5,000) gross square feet of occupied or conditioned space.

(ii) A building renovation project if the cost to renovate the building is more than fifty percent (50%) of the assessed value and the project is more than five thousand (5,000) gross square feet of occupied or conditioned space.

(d) "Public agency" means the state, a political subdivision of this state or any state agency, including the Mississippi Board of Trustees of State Institutions of Higher Learning, a community college district or a school district.

(2) The bureau may, in its discretion, design, construct and certify all major facility projects to a national energy and environmental design green building rating system that does not discriminate against wood products grown or manufactured in the State of Mississippi or the United States. This subsection applies to major facility projects that have not entered the design phase on or before October 1, 2008.

(3) Any person constructing a major facility project that receives any funding from the state, may, in its discretion, design, construct and certify the project to a national energy and environmental design green building rating system that does not discriminate against wood products grown or manufactured in the State of Mississippi or the United States. This subsection applies to major facility projects that have not entered the grant application process on or before January 1, 2009.

(4) A major facility project satisfies subsection (2) and (3) if:

(a) There is no appropriate national energy and environmental design green building standard that does not discriminate against wood products grown or manufactured in the State of Mississippi or the United States for that type of building or renovation project.
(b) There is no practical way to achieve a rating under a national energy and environmental design green building rating system that does not discriminate against wood products grown or manufactured in the State of Mississippi or the United States.

(c) The building or renovation project is an electricity transmitter building, a water pumping station, or a hospital.

(5) The bureau shall monitor and document ongoing operating savings that results from major facility projects that are designed, constructed and certified as achieving an acceptable rating that does not discriminate against wood products grown or manufactured in the State of Mississippi or the United States. The bureau shall annually publish a report of its findings and recommended changes in policy.

(6) The bureau shall establish a green buildings advisory committee composed of representatives from the design and construction industry involved in public works contracting, personnel from affected public agencies that oversee public works projects, and others at the department's discretion, including representatives from Mississippi industry and labor, to provide advice on implementing this section. The advisory committee shall make recommendations regarding an education and training process and an ongoing evaluation or feedback process to help the department implement this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2008.