

HOUSEAMENDMENT NO. ____Offered byof

1 AMEND House Committee Substitute No. 2 for Senate Committee
 2 Substitute for Senate Bill No. 778, Page 1, Section A, Line 2, by
 3 inserting after all of said line the following:

4 "8.860. 1. As used in this section, the following words
 5 mean:

6 (1) "ASHRAE" or "American Society of Heating,
 7 Refrigerating, and Air Conditioning Engineers", an international
 8 technical society for all individuals and organizations
 9 interested in heating, ventilation, air conditioning, and
 10 refrigeration;

11 (2) "Building project", the design, construction,
 12 renovation, operation, and maintenance of any inhabited physical
 13 structure and its associated project building site;

14 (3) "Commercial interior fit-out", interior design and
 15 installation by owners or tenants of new or existing office
 16 space, typically exclusive of structural components and core and
 17 shell elements;

18 (4) "GBI", Green Building Initiative;

19 (5) "Globes", the level of a building's sustainability and
 20 energy efficiency performance as determined by GBI's Green Globes
 21 Rating System;

22 (6) "Green Globes Rating System", the most current
 23 environmental building rating system established by the Green
 24 Building Initiative;

25 (7) "High-performance building", a building designed to
 26 achieve integrated systems design, construction, and operation so
 27 as to significantly reduce or eliminate the negative impact of
 28 the built environment and optimize positive attributes;

29 (8) "LEED", Leadership in Energy and Environmental Design

Action Taken _____ Date _____

1 as determined by the current version of the USGBC's Green
2 Building Rating System;

3 (9) "LEED Silver", the current Silver standard as set forth
4 by the USGBC's LEED Green Building Rating System;

5 (10) "Major facility project" or "major facility projects":

6 (a) A state-funded:

7 a. New construction building project in which the
8 building's gross square footage is greater than five thousand;

9 b. Renovation project involving more than fifty percent of
10 the square footage or occupancy displacement; or

11 c. Commercial interior fit-out project that is larger than
12 seven thousand square feet of leasable area;

13 (b) Shall not include:

14 a. A building, regardless of size, that does not have
15 conditioned space as defined by ASHRAE standard 90.1;

16 b. A correctional facility constructed for the department
17 of corrections or the department of mental health;

18 (11) "Renovation project", a building project involving the
19 modification or adaptive reuse of an existing facility;

20 (12) "Third-party commissioning agent", a person accredited
21 by the USGBC or GBI with expertise in building system performance
22 who analyzes, evaluates, and confirms proper function and
23 performance of a high-performance building, its systems,
24 equipment, and indoor air quality and who did not participate in
25 the original certification of the major facility project or
26 renovation project;

27 (13) "USGBC", the United States Green Building Council.

28 2. All major facility projects in Missouri under
29 subparagraph a. of paragraph (a) of subdivision (10) of
30 subsection 1 of this section shall be designed, constructed, and
31 at least certified as receiving two Globes using the Green Globes
32 Rating System or receiving the LEED Silver standard. All major
33 facility projects in Missouri as defined under subparagraphs b.
34 and c. of paragraph (a) of subdivision (10) of subsection 1 of
35 this section shall be analyzed using:

36 (1) A life cycle cost analysis comparing the cost and
37 benefits of designing, constructing, maintaining, and operating

1 the facility at the LEED Silver standard or two Globes standard,
2 or better, with certification;

3 (2) Normal industry and regulatory standards, as
4 applicable; or

5 (3) Some standard between subdivisions (1) and (2) of this
6 subsection that causes the project to be designed, constructed,
7 and operated in a manner that achieves the lowest thirty-year
8 life cycle cost.

9 3. In obtaining certification as receiving two Globes using
10 the Green Globes Rating System, a major facility project shall
11 earn at least twenty percent of the available points for energy
12 performance under C.1.1 energy consumption. In obtaining
13 certification as meeting the LEED Silver standard, a major
14 facility project shall reduce energy use twenty-four percent for
15 new buildings or twenty percent for existing buildings over
16 ASHRAE standard 90.1-2007. The office of administration may
17 waive the requirements of this subsection for a proposed major
18 facility project if it determines that the cost of meeting the
19 requirements under this subsection are not economically feasible.

20 4. The office of administration may petition the general
21 assembly to require all major facility projects be certified to a
22 high-performance building rating system standard in addition to
23 or in lieu of the systems provided in this section. However, any
24 alternate rating system adopted by the general assembly shall be
25 no less stringent than the systems provided in this section.

26 5. All major facility projects that were certified at the
27 LEED Silver or two Globe standard or higher shall be inspected by
28 a third-party commissioning agent, at a minimum, in the fifth,
29 tenth, and fifteenth year following certification. The third-
30 party commissioning agent shall determine whether the building is
31 operating at the standard to which it was originally designed and
32 certified. The third-party commissioning agent shall report its
33 findings to the office of administration and the respective state
34 department or departments occupying the facility. The report
35 shall include but not be limited to the facility's savings on
36 energy and water, the level of its indoor air quality, the
37 existing system's function and performance, problems with the

1 system, and whether the system's performance meets the facility's
2 requirements. If the office of administration determines the
3 building is not operating within the spirit of this section, the
4 office of administration may take appropriate measures to bring
5 the building into compliance.

6 6. The office of administration shall develop and implement
7 a process to monitor and evaluate the energy and environmental
8 benefits associated with each major facility project designed,
9 constructed, and renovated under this section. The monitoring
10 and evaluation of each major facility project shall commence one
11 year after occupancy or use and shall continue for fifteen years
12 thereafter. All data concerning energy, operational, and
13 environmental benefits collected under this section shall be made
14 available to the office of administration to be compiled and
15 submitted to the general assembly under subsection 7 of this
16 section.

17 7. The office of administration shall submit a report
18 regarding major facility projects to the house committee on
19 energy and environment and the senate committee on energy and
20 environment that includes:

21 (1) The number and types of buildings designed and
22 constructed;

23 (2) The level of certification of each building designed,
24 constructed, or renovated;

25 (3) Actual savings in energy costs;

26 (4) A description of all potential environmental benefits,
27 including but not limited to, water savings and the reduction of
28 waste generation;

29 (5) The ability of building to continue to operate at the
30 standard to which it was originally certified;

31 (6) In the event of a waiver by the office of
32 administration to not pursue certification, reasons for the
33 waiver;

34 (7) Any conflicts or barriers that hinder the effectiveness
35 of this section.

36 8. The office of administration shall promulgate rules to
37 implement the provisions of this section. Any rule or portion of

1 a rule, as that term is defined in section 536.010, that is
2 created under the authority delegated in this section shall
3 become effective only if it complies with and is subject to all
4 of the provisions of chapter 536 and, if applicable, section
5 536.028. This section and chapter 536 are nonseverable and if
6 any of the powers vested with the general assembly pursuant to
7 chapter 536 to review, to delay the effective date, or to
8 disapprove and annul a rule are subsequently held
9 unconstitutional, then the grant of rulemaking authority and any
10 rule proposed or adopted after August 28, 2010, shall be invalid
11 and void."; and

12 Further amend said title, enacting clause and intersectional
13 references accordingly.