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COMMERCE

SENATE FILE 2204  
BY BOLKCOM

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the regulation, production, and consumption of  
2 energy including providing for clean energy financial  
3 assistance, wind energy tax credits, green building income tax  
4 credits, and advanced renewable energy technology research and  
5 development, requiring an electricity renewable energy  
6 standard, providing for public education of energy efficiency,  
7 establishing an advisory council on climate change,  
8 establishing high-performance standards for certain public  
9 buildings, and making appropriations.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

CLEAN ENERGY FINANCIAL ASSISTANCE

Section 1. NEW SECTION. 15E.400 CLEAN ENERGY FINANCIAL ASSISTANCE.

1. The Iowa economic development board shall establish a clean energy financial assistance program to encourage the establishment, modernization, and expansion of facilities producing renewable energy or energy-efficient products or technology in this state. The board may award financial assistance to eligible persons in the form of a loan, loan guarantee, grant, or combination of financial assistance.

2. A person is eligible to apply for assistance under this section if the person satisfies all of the following requirements:

a. The existing or proposed facility for producing renewable energy or energy-efficient products or technology is located in this state.

b. The person applies to the department in a manner and according to procedures required by the board.

c. The person submits a business plan which demonstrates managerial and technical expertise.

3. The board shall select an applicant to receive financial assistance based on the following criteria:

a. The probability of actual or potential improvements to the environment including but not limited to reductions in emissions of greenhouse gases from the use of the product or technology by the facility owner or the customers of the facility owner.

b. The number and quality of jobs created or retained that provide living wages at or above the state average and eighty percent of the costs of comprehensive health insurance.

c. The use of natural resources from this state other than coal.

d. The use of research or technology developed in this state by a college, university, business, or governmental

1 agency in this state.

2 e. The potential research value or potential for further  
3 technological development to fund the business in the future.

4 f. The feasibility of the existing or proposed facility to  
5 remain a viable enterprise and the degree to which the  
6 facility will increase the utilization of renewable energy or  
7 energy-efficient products or technology.

8 4. The board shall not approve the awarding of financial  
9 assistance for the conversion of motor fuel pumps from  
10 gasoline to E-85 in an amount of more than ten thousand  
11 dollars per fuel pump or twenty thousand dollars per retail  
12 fueling station.

13 5. The board may consult with the department of natural  
14 resources, the department of agriculture and land stewardship,  
15 the university of Iowa, Iowa state university, and the  
16 university of northern Iowa when selecting applicants for  
17 financial assistance pursuant to this section.

18 Sec. 2. NEW SECTION. 15E.401 CLEAN ENERGY FINANCIAL  
19 ASSISTANCE FUND.

20 1. A clean energy financial assistance fund is created  
21 within the state treasury under the control of the Iowa  
22 economic development board. The fund shall consist of moneys  
23 appropriated from the general fund pursuant to section  
24 15E.402, and any other moneys available to and obtained or  
25 accepted by the board from the federal government or private  
26 sources for placement in the fund. The assets of the fund  
27 shall be used by the board only for administration and  
28 carrying out the purposes of section 15E.400.

29 2. In administering the fund and the clean energy  
30 financial assistance program, the board may do any of the  
31 following:

32 a. Contract, sue and be sued, and adopt administrative  
33 rules necessary to carry out the provisions of this section  
34 and section 15E.400. However, the board shall not in any  
35 manner directly or indirectly pledge the credit of the state.

1 b. Authorize payment from the fund for costs, commissions,  
2 attorney fees, and other reasonable expenses, including  
3 expenses related to carrying out duties necessary for issuing  
4 or guaranteeing loans under section 15E.400, and for the  
5 recovery of loan moneys issued or guaranteed or the management  
6 of property acquired in connection with such loans.

7 3. Payments of interest, recaptures of awards, or  
8 repayments of moneys loaned under the clean energy financial  
9 assistance program shall be deposited into the fund. Section  
10 8.33 does not apply to any moneys in the fund.

11 Sec. 3. NEW SECTION. 15E.402 APPROPRIATION.

12 There is appropriated from the general fund of the state  
13 each fiscal year of the fiscal period beginning July 1, 2006,  
14 and ending June 30, 2011, the sum of five million dollars to  
15 the clean energy financial assistance fund created in section  
16 15E.401. Of the amount appropriated under this section, not  
17 more than one million dollars shall be used to encourage the  
18 installation or conversion of infrastructure used by service  
19 stations to sell and dispense E-85 blended gasoline. Amounts  
20 appropriated pursuant to this section shall be in addition to,  
21 and shall not replace, funds otherwise appropriated to the  
22 department of economic development. Notwithstanding section  
23 8.33, moneys appropriated in this section that remain  
24 unencumbered or unobligated at the close of each fiscal year  
25 shall not revert but shall remain available for expenditure  
26 for the purposes designated.

27 This section is repealed June 30, 2011.

28

DIVISION II

29

SMALL WIND ENERGY TAX CREDITS

30 Sec. 4. Section 476C.1, subsection 6, paragraph d, Code  
31 Supplement 2005, is amended to read as follows:

32 d. Was initially placed into service on or after July 1,  
33 2005, and before January 1, ~~2011~~ 2012.

34 Sec. 5. Section 476C.3, subsection 4, Code Supplement  
35 2005, is amended to read as follows:

1 4. The maximum amount of nameplate generating capacity of  
2 all wind energy conversion facilities the board may find  
3 approve as eligible under this chapter shall not exceed ninety  
4 one hundred eighty megawatts of nameplate generating capacity.  
5 The maximum amount of energy production capacity equivalent of  
6 all other facilities the board may find eligible under this  
7 chapter shall not exceed a combined output of ten twenty  
8 megawatts of nameplate generating capacity. If in the opinion  
9 of the board the maximum amount of nameplate generating  
10 capacity of wind energy has been reached, the board shall deny  
11 all subsequently filed applications for a determination of  
12 eligibility until the following July 1 at which time the board  
13 may accept new applications for additional capacity if such  
14 capacity is available.

15 Sec. 6. Section 476C.5, Code Supplement 2005, is amended  
16 to read as follows:

17 476C.5 CERTIFICATE ISSUANCE PERIOD.

18 A producer or purchaser of renewable energy may receive  
19 renewable energy tax credit certificates for a ten-year period  
20 for each eligible renewable energy facility under this  
21 chapter. The ten-year period for issuance of the tax credit  
22 certificates begins with the date the purchaser of renewable  
23 energy first purchases electricity, hydrogen fuel, methane gas  
24 or other biogas used to generate electricity, or heat for  
25 commercial purposes from the eligible renewable energy  
26 facility for which a tax credit is issued under this chapter.  
27 Renewable energy tax credit certificates shall not be issued  
28 for renewable energy purchased after December 31, ~~2020~~ 2021.

29 Sec. 7. EMERGENCY RULES. The Iowa utilities board may  
30 adopt emergency rules under section 17A.4, subsection 2, and  
31 section 17A.5, subsection 2, paragraph "b", to implement this  
32 division of this Act and the rules shall be effective  
33 immediately upon filing unless a later date is specified in  
34 the rules. Any rules adopted in accordance with this section  
35 shall also be published as a notice of intended action as

1 provided in section 17A.4.

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DIVISION III

3

GREEN BUILDING INCOME TAX CREDITS

4

Sec. 8. NEW SECTION. 422.11M GREEN BUILDING TAX CREDIT.

5

The taxes imposed under this division, less the credits  
6 allowed under sections 422.12 and 422.12B, shall be reduced by  
7 a green building tax credit under section 473B.4.

8

Sec. 9. Section 422.33, Code Supplement 2005, is amended  
9 by adding the following new subsection:

10

NEW SUBSECTION. 20. The taxes imposed under this division  
11 shall be reduced by a green building tax credit under section  
12 473B.6.

13

Sec. 10. NEW SECTION. 473B.1 DEFINITIONS.

14

As used in this chapter, unless the context otherwise  
15 requires:

16

1. a. "Allowable costs" means amounts properly chargeable  
17 to a capital account, other than for land, that are paid or  
18 incurred on or after July 1, 2006, for all of the following:

19

(1) Construction or rehabilitation.

20

(2) Commissioning costs.

21

(3) Interest paid or incurred during the construction or  
22 rehabilitation period.

23

(4) Architectural, engineering, and other professional  
24 fees allocable to construction or rehabilitation.

25

(5) Closing costs for construction, rehabilitation, or  
26 mortgage loans.

27

(6) Recording taxes and filing fees incurred with respect  
28 to construction or rehabilitation.

29

(7) Finishes and furnishings consistent with rules adopted  
30 by the department under this chapter, lighting, plumbing,  
31 electrical wiring, and ventilation.

32

b. "Allowable costs" does not include any of the  
33 following:

34

(1) The cost of telephone systems and computers other than  
35 electrical wiring costs.

1 (2) Legal fees allocable to construction or  
2 rehabilitation.

3 (3) Site costs, including temporary electric wiring,  
4 scaffolding, demolition costs, and fencing and security  
5 facilities.

6 (4) Finishes or furnishings that are not consistent with  
7 rules adopted by the department under this chapter.

8 (5) The cost of purchasing or installing fuel cells.

9 2. "Base building" means all areas of a building not  
10 intended for occupancy by a tenant or owner, including the  
11 structural components of the building, exterior walls, floors,  
12 windows, roofs, foundations, chimneys and stacks, parking  
13 areas, mechanical rooms and mechanical systems, and owner-  
14 controlled or operated service spaces, sidewalks, main lobby,  
15 shafts and vertical transportation mechanisms, stairways, and  
16 corridors.

17 3. "Commissioning" means all of the following:

18 a. The testing and fine-tuning of heat, ventilating, and  
19 air-conditioning systems and other systems to assure proper  
20 functioning and adherence to design criteria.

21 b. The preparation of system operation manuals and  
22 instruction of maintenance personnel.

23 4. "Credit allowance year" means the later of either of  
24 the following:

25 a. The taxable year during which either of the following  
26 occur:

27 (1) The property, construction, completion, or  
28 rehabilitation on which the credit allowed under this section  
29 is based is originally placed in service.

30 (2) A fuel cell, wind turbine, or photovoltaic module  
31 constitutes a qualifying alternate energy source and is fully  
32 operational.

33 b. The earliest taxable year for which the credit may be  
34 claimed under the green building tax credit certificate issued  
35 under section 473B.5.

1 5. "Department" means the department of economic  
2 development.

3 6. "Economic development area" means an area as defined by  
4 rule by the department.

5 7. "Eligible building" means a building located in this  
6 state that meets all of the following requirements:

7 a. (1) Is a building used primarily for nonresidential  
8 purposes if the building contains at least twenty thousand  
9 square feet of interior space.

10 (2) Is a residential multifamily building with at least  
11 twelve dwelling units that contains at least twenty thousand  
12 square feet of interior space.

13 (3) Is any combination of buildings described in  
14 subparagraphs (1) and (2).

15 b. In the case of a newly constructed building for which a  
16 certificate of occupancy was not issued before July 1, 2006,  
17 is any of the following:

18 (1) Is located on a brownfield site, as defined in section  
19 15.291.

20 (2) Is located in a priority funding area as defined by  
21 the department.

22 (3) Is not located on wetlands, the alteration of which  
23 requires a permit under § 404 of the federal Clean Water Act,  
24 as defined in section 455B.291.

25 c. In the case of the rehabilitation of a building, is any  
26 of the following:

27 (1) Is located in a priority funding area as defined by  
28 the director or on a brownfield site as defined in section  
29 15.291.

30 (2) Is not an increase of more than twenty-five percent in  
31 the square footage of the building.

32 8. "Fuel cell" means a device that produces electricity  
33 directly from hydrogen or hydrocarbon fuel through a  
34 noncombustive electrochemical process that meets the minimum  
35 standards adopted by rule pursuant to section 473B.9.

1 9. "Green base building" means a base building that is  
2 part of an eligible building that meets the LEED silver rating  
3 standard of the United States green building council adopted  
4 by rule under section 473B.9.

5 10. "Green tenant space" means tenant space in a building  
6 if the building is an eligible building and the tenant space  
7 meets the LEED silver rating standard of the United States  
8 green building council adopted by rule under section 473B.9.

9 11. "Green whole building" means a building for which the  
10 base building is a green base building and all tenant space is  
11 green tenant space.

12 12. "Incremental cost of building-integrated photovoltaic  
13 modules" means all of the following:

14 a. The cost of building-integrated photovoltaic modules  
15 and any associated inverter, additional wiring or other  
16 electrical equipment for the photovoltaic modules, or  
17 additional mounting or structural materials, less the cost of  
18 spandrel glass or other building material that would have been  
19 used if building-integrated photovoltaic modules were not  
20 installed.

21 b. Incremental labor costs properly allocable to on-site  
22 preparation, assembly, and original installation of  
23 photovoltaic modules.

24 13. "LEED silver rating standard" means the United States  
25 green building council leadership in energy and environmental  
26 design green building rating standard, referred to as the  
27 silver standard.

28 14. "Photovoltaic modules" means semiconductor devices,  
29 also called solar cells, that convert sunlight into direct  
30 current electricity that meet the minimum standards adopted by  
31 rule under section 473B.9.

32 15. "Qualifying alternate energy source" means a building-  
33 integrated and non-building-integrated photovoltaic module,  
34 wind turbine, or fuel cell installed to serve the base  
35 building or tenant space that meet all of the following

1 requirements:

2 a. Have the capability to monitor their actual power  
3 output.

4 b. Are fully commissioned upon installation, and annually  
5 thereafter, to ensure that the systems meet their design  
6 specifications.

7 c. In the case of a wind turbine, meets any applicable  
8 noise and bird protection ordinances.

9 16. "Tenant improvements" means improvements that are  
10 necessary or appropriate to support or conduct the business of  
11 a tenant or occupying owner.

12 17. "Tenant space" means the portion of a building  
13 intended for occupancy by a tenant or occupying owner.

14 18. "Wind turbine" means a wind energy conversion system  
15 that collects and converts wind into energy to generate  
16 electricity that meets the minimum standards adopted by rule  
17 pursuant to section 473B.9.

18 Sec. 11. NEW SECTION. 473B.2 PROVISIONAL GREEN BUILDING  
19 CERTIFICATE.

20 1. A person may apply to the department for provisional  
21 certification of eligibility for a green building tax credit  
22 by submitting a completed application to the department  
23 containing all of the following information:

24 a. Sufficient information to identify each building or  
25 space as the department shall require.

26 b. Proof of the person's ownership or tenancy of the  
27 building.

28 c. An itemization of estimated allowable costs with  
29 supporting documentation.

30 d. Any other information the department may require.

31 2. If upon receipt of the completed application the  
32 department finds that the applicant has shown that the  
33 applicant is likely within a reasonable time to place in  
34 service property which would warrant the allowance of a credit  
35 under section 473B.4, the department shall issue a provisional

1 green building certificate. The provisional green building  
2 certificate shall describe the property for which the  
3 certificate was issued and shall contain an expiration date.  
4 The certificate shall apply only to property placed in service  
5 by such expiration date which may be extended at the  
6 discretion of the department, in order to avoid unwarranted  
7 hardship.

8 3. A person whose application for a provisional green  
9 building certificate is denied may file an appeal with the  
10 department within sixty days from the date of denial pursuant  
11 to the provisions of chapter 17A.

12 Sec. 12. NEW SECTION. 473B.3 ELIGIBILITY CERTIFICATE.

13 1. For each taxable year for which a person claims a green  
14 building tax credit under this chapter, the person shall  
15 obtain from an architect or professional engineer licensed to  
16 practice in this state an eligibility certificate.

17 2. The eligibility certificate shall consist of a  
18 certification, under the seal of such architect or engineer,  
19 that the building, base building, or tenant space with respect  
20 to which the credit is claimed is a green whole building,  
21 green base building, or green tenant space, respectively, that  
22 the fuel cell, wind turbine, or photovoltaic modules  
23 constitute a qualifying alternate energy source and remains in  
24 service. The eligibility certification shall be made in  
25 accordance with the standards and guidelines in effect at the  
26 time the property which is the basis for the credit was placed  
27 in service adopted by rule pursuant to section 473B.9. The  
28 eligibility certificate shall set forth the specific findings  
29 upon which the certification was based.

30 3. The eligibility certificate shall include sufficient  
31 information to identify each building or space, and such other  
32 information as the department shall require.

33 4. The taxpayer shall file a copy of each eligibility  
34 certificate with the department.

35 Sec. 13. NEW SECTION. 473B.4 TAX CREDITS.

1 A green building tax credit may consist of any or all of  
2 the following credits:

3 1. GREEN WHOLE BUILDING TAX CREDIT. The green whole  
4 building tax credit shall be equal to the one and four-tenths  
5 percent of the allowable costs paid or incurred by the  
6 applicant, for either the construction of a green whole  
7 building or the rehabilitation of a building which is not a  
8 green whole building to be a green whole building for which a  
9 certificate of occupancy has been issued. If the building is  
10 located in an economic development area, the applicable  
11 percentage shall be one and six-tenths percent of the  
12 allowable costs. The allowable costs for a green whole  
13 building shall not exceed, in the aggregate, one hundred fifty  
14 dollars per square foot with respect to the portion of the  
15 building which comprises the base building and seventy-five  
16 dollars per square foot with respect to the portion of the  
17 building which comprises the tenant space.

18 2. GREEN BASE BUILDING TAX CREDIT. The green base  
19 building tax credit shall be equal to one percent of the  
20 allowable costs paid or incurred by the taxpayer, if the  
21 owner, for either the construction of a green base building or  
22 for the rehabilitation of a base building which is not a green  
23 base building to be a green base building for which a  
24 certificate of occupancy for the building has been issued. If  
25 the building is located in an economic development area, the  
26 applicable percentage shall be one and two-tenths percent of  
27 the allowable costs. The allowable costs for the green base  
28 building shall not exceed, in the aggregate, one hundred fifty  
29 dollars per square foot.

30 3. GREEN TENANT SPACE TAX CREDIT. The green tenant space  
31 tax credit shall be equal to one percent of allowable costs  
32 for tenant improvements paid or incurred by the taxpayer in  
33 constructing or completing green tenant space, or  
34 rehabilitating tenant space which is not green tenant space to  
35 be green tenant space. If the building is located in an

1 economic development area the applicable percentage shall be  
2 one and two-tenths percent of the allowable costs. Provided,  
3 however, that the owner, or a tenant who occupies fewer than  
4 ten thousand square feet, shall qualify for a green tenant  
5 space tax credit only if the base building is a green base  
6 building. The allowable costs for green tenant space shall  
7 not exceed, in the aggregate, seventy-five dollars per square  
8 foot. If both an owner and tenant incur such costs for green  
9 tenant space with respect to the same green tenant space and  
10 such costs in the aggregate exceed seventy-five dollars per  
11 square foot, the owner shall have priority as to costs  
12 constituting the basis for the green tenant space tax credit.

13 4. FUEL CELL TAX CREDIT. A fuel cell tax credit shall be  
14 allowed for the installation of a fuel cell which is a  
15 qualifying alternate energy source, installed to serve a green  
16 building, green base building, or green tenant space. The  
17 amount of the credit shall equal six percent of the sum of the  
18 capitalized costs paid or incurred by the applicant with  
19 respect to each fuel cell installed to serve such building or  
20 space, including the cost of the foundation or platform and  
21 the labor cost associated with installation, such capitalized  
22 costs not to exceed one thousand dollars per kilowatt of  
23 installed direct current rated capacity. The amount of any  
24 federal, state, or local grant received by the applicant and  
25 used for the purchase and installation of such fuel cell,  
26 which was not included in the federal gross income of the  
27 applicant, shall be subtracted from the amount of such costs.

28 5. PHOTOVOLTAIC MODULE TAX CREDIT. A photovoltaic module  
29 tax credit shall be allowed for the installation of  
30 photovoltaic modules which constitute a qualifying alternate  
31 energy source installed to serve a green building, green base  
32 building, or green tenant space. The amount of the tax credit  
33 component shall equal twenty percent of the incremental cost  
34 paid or incurred by the applicant for building-integrated  
35 photovoltaic modules and five percent of the cost of non-

1 building-integrated photovoltaic modules, in either case such  
2 cost not to exceed the product of three dollars and the number  
3 of watts included in the direct current rated capacity of the  
4 photovoltaic modules. The amount of any federal, state, or  
5 local grant received by the applicant and used for the  
6 purchase and installation of such photovoltaic modules which  
7 was not included in the federal gross income of the applicant,  
8 shall be subtracted from the amount of such cost.

9 6. WIND TURBINE TAX CREDIT. A wind turbine tax credit  
10 shall be allowed for the installation of a wind turbine that  
11 is a qualifying alternative energy source and is installed to  
12 serve a green whole building, green base building, or green  
13 tenant space. The amount of the tax credit shall be an amount  
14 equal to twenty-five percent of the sum of the capitalized  
15 costs paid or incurred by the applicant with respect to each  
16 wind turbine installed, including the cost of the foundation  
17 or platform and the labor costs associated with installation.  
18 The amount of any federal, state, or other grant received by  
19 the applicant and used for the purchase of the wind turbine,  
20 which was not included in the federal gross income of the  
21 applicant, shall be subtracted from the amount of the  
22 capitalized costs.

23 Sec. 14. NEW SECTION. 473B.5 APPLICATION FOR TAX CREDIT  
24 CERTIFICATE.

25 1. To receive a green building tax credit described in  
26 section 473B.4, the taxpayer shall file an application with  
27 the department for a tax credit certificate. The application  
28 shall contain all of the following:

- 29 a. All applicable provisional green building certificates.
  - 30 b. All applicable eligibility certificates.
  - 31 c. A certificate of occupancy if required.
  - 32 d. Documentation supporting actual allowable costs  
33 incurred.
  - 34 e. Any other information required by the department.
- 35 2. If upon receipt of a completed application, the

1 department finds that the person is qualified for a green  
2 building tax credit, the department shall calculate the amount  
3 of the tax credit for which the person is eligible and shall  
4 issue a green building tax credit certificate to the person or  
5 notify the person in writing of its refusal to do so. The tax  
6 credit certificate may be applied against tax owed pursuant to  
7 chapter 422, division II and division III. Each green  
8 building tax credit certificate issued pursuant to this  
9 section shall be allowed for the tax credit allowance year and  
10 for each of the next four succeeding taxable years with  
11 respect to which the person has obtained and filed an  
12 eligibility certificate pursuant to section 473B.3.

13 3. The green building tax credit certificate shall state  
14 all of the following:

15 a. The credit allowance year for which the credit may be  
16 claimed and a description of the property for which  
17 eligibility was granted.

18 b. The certificate's expiration date and shall apply only  
19 to property placed in service by such expiration date. Such  
20 expiration date may be extended at the discretion of the  
21 department, in order to avoid unwarranted hardship.

22 c. The maximum amount of the tax credit allowable for each  
23 of the five taxable years for which the credit is allowed  
24 under section 473B.4.

25 d. The maximum amount of the tax credit allowable in the  
26 aggregate for all credits allowed under section 473B.4.

27 4. The amount of each green building tax credit shall not  
28 exceed the limit set forth in the provisional green building  
29 certificate obtained pursuant to section 473B.3. The  
30 department shall not issue green building tax credit  
31 certificates, in the aggregate, for more than four million  
32 dollars worth of credits pursuant to this chapter in any  
33 fiscal year.

34 5. A person whose application for a green building tax  
35 credit certificate is denied may file an appeal with the

1 department within sixty days from the date of denial pursuant  
2 to the provisions of chapter 17A.

3 6. If the department has reason to believe that an  
4 architect or professional engineer, in making any eligibility  
5 certification under this chapter engaged in professional  
6 misconduct, the department may revoke a provisional green  
7 building certificate or green building tax credit certificate  
8 issued pursuant to this chapter and report the misconduct to  
9 the appropriate professional board or commission.

10 Sec. 15. NEW SECTION. 473B.6 SUCCESSOR OWNER OR TENANT.

11 1. If a green building tax credit is allowed to a building  
12 owner pursuant to this chapter with respect to property, and  
13 such property or an interest therein is sold, the credit for  
14 the period after the sale which would have been allowable  
15 under this chapter to the prior owner had the property not  
16 been sold shall be allowable to the new owner. A tax credit  
17 for the year of sale shall be allocated between the parties on  
18 the basis of the number of days during such year that the  
19 property or interest was held by each.

20 2. If a tax credit is allowed to a tenant pursuant to this  
21 chapter with respect to property, and if such tenancy is  
22 terminated but such property remains in use in the building by  
23 a successor tenant, the tax credit for the period after such  
24 termination which would have been allowable under this chapter  
25 to the prior tenant had the tenancy not been terminated shall  
26 be allowable to the successor tenant. A tax credit for the  
27 year of termination shall be allocated between the parties on  
28 the basis of the number of days during such year that the  
29 property was used by each.

30 3. Notwithstanding any other provision of law to the  
31 contrary, in the case of allowance of a tax credit under this  
32 section to a successor owner or tenant, as provided in  
33 subsection 1 or 2, the department shall have the authority to  
34 reveal to the successor owner or tenant any information, with  
35 respect to the credit of the prior owner or tenant, which is

1 the basis for the denial in whole or in part of the credit  
2 claimed by such successor owner or tenant.

3 Sec. 16. NEW SECTION. 473B.7 RECORDKEEPING.

4 Each person shall, for any taxable year for which the green  
5 building tax credit provided for under this chapter is  
6 claimed, maintain and provide to the department upon request  
7 records of the following information as applicable:

- 8 1. Annual energy consumption for the green whole building,  
9 green base building, or green tenant space.
- 10 2. Annual results of air monitoring, if conducted.
- 11 3. Annual confirmation that the green whole building,  
12 green base building, or green tenant space continues to meet  
13 requirements regarding smoking areas, if required.
- 14 4. All written notification of tenants and requests to  
15 remedy any indoor air quality problems.
- 16 5. Initial and annual results of validation of performance  
17 of photovoltaic modules and fuel cells.
- 18 6. Certifications as to off-gassing and other  
19 contamination, if conducted.

20 Sec. 17. NEW SECTION. 473B.8 REPORTING.

21 1. On or before July 1, 2010, the department shall submit  
22 a written report to the governor and the general assembly  
23 regarding all of the following:

- 24 a. The number and value of provisional green building  
25 certificates and green building tax credit certificates issued  
26 under this chapter.
- 27 b. The amount of the green building tax credits redeemed.
- 28 c. The geographical distribution of the provisional green  
29 building certificates and green building tax credit  
30 certificates issued and redeemed.
- 31 d. Any other such available information the department may  
32 deem meaningful and appropriate.

33 2. A preliminary version of the report required by  
34 subsection 1 shall be issued by July 1, 2008.

35 3. The department shall make recommendations regarding the

1 establishment of a permanent green building tax credit  
2 program. Recommendations may include methods to enhance the  
3 effectiveness, simplicity, or other aspects of the program.

4 Sec. 18. NEW SECTION. 473B.9 RULES.

5 1. The department shall, with assistance from the  
6 department of natural resources, adopt rules adopting by  
7 reference the LEED silver rating standard as adopted and  
8 published by the United States green building council  
9 regarding standards for a property to qualify as a green whole  
10 building, green base building, or green tenant space, that is  
11 eligible for a green building tax credit under this chapter.

12 2. The department shall adopt by rule reasonable minimum  
13 standards for fuel cells, photovoltaic modules, and wind  
14 turbines that are eligible for a green building tax credit  
15 under this chapter.

16 3. The department shall adopt additional rules necessary  
17 to administer this chapter.

18

DIVISION IV

19

IOWA CENTER FOR ADVANCED RENEWABLE ENERGY

20 Sec. 19. NEW SECTION. 266.39G ADVANCED RENEWABLE ENERGY  
21 TECHNOLOGY RESEARCH AND DEVELOPMENT -- APPROPRIATION.

22 1. The Iowa center for advanced renewable energy is  
23 established at the Iowa energy center at Iowa state university  
24 of science and technology to improve the economic and  
25 environmental performance and feasibility of renewable energy  
26 products and production in Iowa. The center shall conduct and  
27 sponsor research for and assist in the commercialization of  
28 cellulose-based ethanol, advanced soy diesel, methane  
29 recapture, and other renewable energy conversion systems that  
30 may reduce the dependence of Iowans on nonrenewable energy,  
31 create jobs and economic growth in Iowa, and reduce the  
32 emissions of greenhouse gases.

33 2. The center shall be directed by the director of the  
34 Iowa energy center who shall employ necessary research and  
35 support staff. No more than one hundred fifty thousand

1 dollars of the moneys made available by appropriation of state  
2 revenues in any one year shall be expended by the center for  
3 advanced renewable energy for the salaries and benefits of the  
4 employees of the center. The remainder of the state moneys  
5 appropriated shall be used to sponsor research grants and  
6 projects submitted on a competitive basis by Iowa colleges and  
7 universities and private nonprofit agencies and foundations.  
8 The center may also solicit additional grants and funding from  
9 public and private nonprofit agencies and foundations.

10 3. There is appropriated from the general fund of the  
11 state each fiscal year for the fiscal period beginning July 1,  
12 2006, and ending June 30, 2011, to the state board of regents  
13 the sum of five million dollars to be used for the Iowa center  
14 for advanced renewable energy. Amounts appropriated pursuant  
15 to this section shall be in addition to, and shall not  
16 replace, funds otherwise appropriated to the state board of  
17 regents. Notwithstanding section 8.33, moneys appropriated in  
18 this section that remain unencumbered or unobligated at the  
19 close of each fiscal year shall not revert but shall remain  
20 available for expenditure for the purposes designated.

21 This section is repealed June 30, 2011.

22 DIVISION V

23 RENEWABLE ENERGY PRODUCTION STANDARD

24 Sec. 20. Section 476.44, subsection 2, Code 2005, is  
25 amended to read as follows:

26 2. An electric utility subject to this division, except a  
27 utility that elects rate regulation pursuant to section  
28 476.1A, shall ~~not~~ be required to own or purchase ~~at any one~~  
29 ~~time more than its share of one hundred five megawatts of~~  
30 power at least the following percentages of its total annual  
31 Iowa retail electric sales from alternative energy production  
32 facilities or small hydro facilities at the rates established  
33 pursuant to section 476.43:

34 a. By December 31, 2010, five percent.

35 b. By December 31, 2015, seven percent.

1 c. By December 31, 2020, and annually thereafter, at least  
2 ten percent.

3 ~~The board shall allocate the one hundred five megawatts based~~  
4 ~~upon each utility's percentage of the total Iowa retail peak~~  
5 ~~demand, for the year beginning January 1, 1990, of all~~  
6 ~~utilities subject to this section. If a utility undergoes~~  
7 ~~reorganization as defined in section 476.76, the board shall~~  
8 ~~combine the allocated purchases of power for each utility~~  
9 ~~involved in the reorganization.~~

10 ~~Notwithstanding the one hundred five megawatt maximum, the~~  
11 ~~board may increase the amount of power that a utility is~~  
12 ~~required to own or purchase at the rates established pursuant~~  
13 ~~to section 476.43 if the board finds that a utility, including~~  
14 ~~a reorganized utility, exceeds its 1990 Iowa retail peak~~  
15 ~~demand by twenty percent and the additional power the utility~~  
16 ~~is required to purchase will encourage the development of~~  
17 ~~alternate energy production facilities and small hydro~~  
18 ~~facilities. The increase shall not exceed the utility's~~  
19 ~~increase in peak demand multiplied by the ratio of the~~  
20 ~~utility's share of the one hundred five megawatt maximum to~~  
21 ~~its 1990 Iowa retail peak demand.~~

22 DIVISION VI

23 STATE BUILDING CODE EFFICIENCY ENFORCEMENT

24 Sec. 21. NEW SECTION. 103A.27 APPROPRIATION -- ENERGY-  
25 EFFICIENCY EDUCATION.

26 There is appropriated from the general fund of the state  
27 each fiscal year for the fiscal period beginning July 1, 2006,  
28 and ending June 30, 2011, to the office of the state fire  
29 marshal of the department of public safety the sum of two  
30 hundred thousand dollars to be used to provide public  
31 education and enforcement of energy-efficiency requirements of  
32 the state building code. Amounts appropriated pursuant to  
33 this section shall be in addition to, and shall not replace,  
34 funds otherwise appropriated to the department of public  
35 safety. Notwithstanding section 8.33, moneys appropriated in

1 this section that remain unencumbered or unobligated at the  
2 close of each fiscal year shall not revert but shall remain  
3 available for expenditure for the purposes designated.

4 This section is repealed June 30, 2011.

5

DIVISION VII

6

CLIMATE CHANGE ADVISORY COUNCIL

7 Sec. 22. NEW SECTION. 473.45 ADVISORY COUNCIL ON CLIMATE  
8 CHANGE.

9 1. A state advisory council on climate change is created.  
10 The council shall consist of nine members appointed by the  
11 governor for three-year staggered terms. Members shall be  
12 eligible for reappointment. The members shall have an  
13 interest or experience in a field of research or an activity  
14 that relates to issues concerning greenhouse gas emissions or  
15 climatic change and represent at least one of the following  
16 areas or groups:

- 17 a. Transportation industry and regulators.
- 18 b. Utility industry and regulators.
- 19 c. Private industry.
- 20 d. Agriculture industry and regulators.
- 21 e. Faith.
- 22 f. Environmental.
- 23 g. Higher education.

24 2. The director of the department of natural resources  
25 shall serve as chair of the council. The department of  
26 natural resources is the primary agency responsible for  
27 providing administrative personnel and services for the  
28 council.

29 3. The council shall meet at least two times annually and  
30 at the call of the chair. Members of the council shall serve  
31 without compensation but may receive their actual expenses  
32 incurred in the performance of their duties.

33 4. The objectives of the council shall include all of the  
34 following:

- 35 a. Serve as the central advisory body for climate change

1 to the governor and general assembly of this state.

2 b. Serve as a coordinating body to facilitate cooperation  
3 among private industries and citizens, and regulatory agencies  
4 within the state on issues related to climate change.

5 c. Provide the most accurate climate information to the  
6 citizens of Iowa.

7 d. Identify the research and assessment needs regarding  
8 climate change for colleges and universities and private  
9 business in this state.

10 e. Interact with local schools, colleges and universities,  
11 and with other teaching community organizations on different  
12 aspects of climate change.

13 f. Investigate the effects of climatic changes on human  
14 health, agriculture, and natural resources, and develop  
15 forecasts that assist in resource management.

16 g. Evaluate current greenhouse gas mitigation projects and  
17 programs of the state and identify opportunities and  
18 prioritize measures for greenhouse gas mitigation.

19 h. Assess current information regarding sources of  
20 greenhouse gas emissions attributable to Iowa and develop  
21 additional measures if appropriate.

22 5. The council shall provide a report to the general  
23 assembly of the council's findings and recommendations each  
24 year by December 1.

25 Sec. 23. NEW SECTION. 473.46 APPROPRIATION -- STATE  
26 ADVISORY COUNCIL ON CLIMATE CHANGE.

27 There is appropriated from the general fund of the state  
28 each fiscal year for the fiscal period beginning July 1, 2006,  
29 and ending June 30, 2011, to the department of natural  
30 resources the sum of one hundred thousand dollars to be used  
31 for the establishment and support of the state advisory  
32 council on climate change established in section 473.45.  
33 Amounts appropriated pursuant to this section shall be in  
34 addition to, and shall not replace, funds otherwise  
35 appropriated to the department of natural resources.

1 Notwithstanding section 8.33, moneys appropriated in this  
2 section that remain unencumbered or unobligated at the close  
3 of each fiscal year shall not revert but shall remain  
4 available for expenditure for the purposes designated.

5 This section is repealed June 30, 2011.

6 DIVISION VIII

7 GREEN PUBLIC BUILDINGS

8 Sec. 24. NEW SECTION. 473C.1 FINDINGS AND INTENT.

9 1. The general assembly finds that public buildings can be  
10 built and renovated using high-performance methods that save  
11 money, improve performance, increase productivity, and cut  
12 energy and utility costs.

13 2. It is the intent of the general assembly that state-  
14 owned buildings and schools be improved by adopting recognized  
15 standards for high-performance public buildings and allowing  
16 flexible methods and choices in how to achieve those  
17 standards. The general assembly also intends that state  
18 agencies and public school districts shall document costs and  
19 savings to monitor the effectiveness of the requirements of  
20 this chapter and ensure that economic, community, and  
21 environmental goals are achieved each year, and that an  
22 independent performance review be conducted to evaluate this  
23 chapter and determine the extent to which the results intended  
24 by this chapter are being met.

25 Sec. 25. NEW SECTION. 473C.2 DEFINITIONS.

26 As used in this chapter, unless the context otherwise  
27 requires:

28 1. "High-performance public building" means a high-  
29 performance public building designed, constructed, and  
30 certified to a standard as identified in this chapter.

31 2. "Institution of higher education" means a community  
32 college or public university in this state.

33 3. "LEED silver standard" means the United States green  
34 building council leadership in energy and environmental design  
35 green building rating standard, referred to as the silver

1 standard.

2 4. a. "Major facility project" means any of the  
3 following:

4 (1) A construction project larger than five thousand gross  
5 square feet of occupied or conditioned space.

6 (2) A building renovation project when the cost is greater  
7 than fifty percent of the assessed value and the project is  
8 larger than five thousand gross square feet of occupied or  
9 conditioned space.

10 b. "Major facility project" does not include any of the  
11 following:

12 (1) A project for which the department of administrative  
13 services, public school district, or other applicable agency  
14 and the design team determine the LEED silver standard or the  
15 sustainable school design protocol is not practicable.

16 (2) Transmitter buildings, pumping stations, hospitals,  
17 research facilities primarily used for sponsored laboratory  
18 experimentation, laboratory research, or laboratory training  
19 in research methods, or other similar building types as  
20 determined by the department.

21 5. "Public funds" means all funds that are public funds  
22 within the meaning of section 12C.1, subsection 2, paragraph  
23 "e".

24 6. "Public school district" means a school district  
25 eligible to receive state basic education moneys and tax funds  
26 collected pursuant to chapter 423E.

27 7. "State agency" means any executive, judicial, or  
28 legislative department, commission, board, institution,  
29 division, bureau, office, agency, or other entity of state  
30 government of this state.

31 8. "Sustainable school design protocol" means a school  
32 design protocol and related information developed by the state  
33 board of regents, the state board of education, and the Iowa  
34 association of community college trustees, in conjunction with  
35 public school districts and the department of education.

1     Sec. 26. NEW SECTION. 473C.3 STATE AGENCY PROJECTS.

2     1. All major facility projects of a state agency financed  
3 through an appropriation from the general assembly shall be  
4 designed, constructed, and certified to at least the LEED  
5 silver standard. This subsection applies to major facility  
6 projects that have not entered the design phase prior to July  
7 1, 2006, and to the extent appropriate LEED silver standards  
8 exist for that type of building or facility.

9     2. When the LEED silver standard is determined not to be  
10 practicable for a project, it must be determined if any LEED  
11 standard is practicable for the project. If LEED standards  
12 are not followed for the project, the state agency shall  
13 report these reasons to the department.

14     3. a. A state agency shall monitor and document ongoing  
15 operating savings resulting from major facility projects  
16 designed, constructed, and certified as required under this  
17 section.

18     b. A state agency shall report annually to the department  
19 of administrative services on major facility projects and  
20 operating savings.

21     4. The department of administrative services shall  
22 consolidate the reports required in subsection 3 into one  
23 report and report to the governor and general assembly by  
24 September 1 of each even-numbered year beginning in 2008 and  
25 ending in 2020. In the report, the department of  
26 administrative services shall also report on the  
27 implementation of this chapter, including reasons why the LEED  
28 silver standard was not used as required by this section. The  
29 department of administrative services shall make  
30 recommendations regarding the ongoing implementation of this  
31 chapter, including a discussion of incentives and  
32 disincentives related to implementing this chapter.

33     Sec. 27. NEW SECTION. 473C.4 PUBLIC SCHOOL AND  
34 INSTITUTIONS OF HIGHER LEARNING.

35     1. All major facility projects of a public school district

1 or institution of higher learning financed in whole or in part  
2 through public funds shall be designed and constructed to at  
3 least the LEED silver standard or the sustainable school  
4 design protocol. To the extent appropriate LEED silver or  
5 sustainable school design protocol standards exist for the  
6 type of building or facility, this subsection applies to major  
7 facility projects that have not received project approval from  
8 the director of the department of education prior to July 1,  
9 2006.

10 2. When the LEED silver standard is determined not to be  
11 practicable for a project, it must be determined if any LEED  
12 standard is practicable for the project. If LEED standards or  
13 the sustainable school design protocol is not followed for the  
14 project, the public school district or institution of higher  
15 learning shall report these reasons to the department.

16 3. Public school districts and institutions of higher  
17 learning under this section shall do all of the following:

18 a. Monitor and document appropriate operating benefits and  
19 savings resulting from major facility projects designed and  
20 constructed as required under this section for a minimum of  
21 five years following acceptance of a project receiving state  
22 funding.

23 b. Report annually to the director of the department of  
24 education. The form and content of each report must be  
25 mutually developed by the department of education in  
26 consultation with public school districts and the state board  
27 of regents.

28 4. The director of the department of education shall  
29 consolidate the reports required in subsection 3 into one  
30 report and report to the governor and general assembly by  
31 September 1 of each even-numbered year beginning in 2008 and  
32 ending in 2020. In its report, the director of the department  
33 of education shall also report on the implementation of this  
34 chapter, including reasons why the LEED silver standard or  
35 sustainable school design protocol was not used as required by

1 this section. The director of the department of education  
2 shall make recommendations regarding the ongoing  
3 implementation of this chapter, including a discussion of  
4 incentives and disincentives related to implementing this  
5 chapter.

6 5. The state board of education, in consultation with the  
7 director of the department of education, shall develop and  
8 issue guidelines for administering this chapter for public  
9 school districts and community colleges. The state board of  
10 regents shall develop and issue guidelines for administering  
11 this chapter for institutions of higher learning. The purpose  
12 of the guidelines is to define a procedure and method for  
13 employing and verifying compliance with the LEED silver  
14 standard or the sustainable school design protocol.

15 6. The director of the department of education shall  
16 establish a school facilities advisory committee as a high-  
17 performance buildings advisory committee comprised of affected  
18 public schools, the state board of education, the state board  
19 of regents, the department, the director of the department of  
20 education, the Iowa association of community college trustees,  
21 and others at the director of the department of education's  
22 discretion to provide advice on implementing this chapter.  
23 Among other duties, the advisory committee shall make  
24 recommendations regarding an education and training process  
25 and an ongoing evaluation or feedback process to help the  
26 director of the department of education and the state board of  
27 education implement this chapter.

28 Sec. 28. NEW SECTION. 473C.5 REPORT TO GENERAL ASSEMBLY.

29 On or before January 1, 2009, the department of  
30 administrative services and the director of the department of  
31 education shall summarize the reports submitted under sections  
32 473C.3 and 473C.4 and submit the individual reports to the  
33 legislative capital projects committee, the legislative  
34 standing committees on state government, and the legislative  
35 standing committees on education for review of the program's

1 performance and consideration of any changes that may be  
2 needed to adapt the program to any new or modified standards  
3 for high-performance buildings that meet the intent of this  
4 chapter.

5 Sec. 29. NEW SECTION. 473C.6 IMPLEMENTATION.

6 1. a. The department of administrative services, in  
7 consultation with affected state agencies, shall develop and  
8 issue guidelines for administering this chapter for state  
9 agencies. The purpose of the guidelines is to define a  
10 procedure and method for employing and verifying activities  
11 necessary for certification to at least the LEED silver  
12 standard for major facility projects.

13 b. The department of administrative services and the  
14 department of education shall amend any fee schedules for  
15 architectural and engineering services to accommodate the  
16 requirements in the design of major facility projects under  
17 this chapter.

18 c. Major facility projects designed to meet standards  
19 identified in this chapter must include building commissioning  
20 as a critical cost saving part of the construction process.  
21 This process includes input from the project design and  
22 construction teams and the project ownership representatives.

23 d. As provided in the request for proposals for  
24 construction services, the department of administrative  
25 services shall hold a preproposal conference for prospective  
26 bidders to discuss compliance with and achievement of  
27 standards identified in this chapter for prospective  
28 respondents.

29 2. The department of administrative services shall create  
30 a high-performance buildings advisory committee comprised of  
31 representatives from the design and construction industry  
32 involved in public works contracting, personnel from the  
33 affected state agencies responsible for overseeing public  
34 works projects, the state board of education, the department  
35 of education, and others at the department of administrative

1 services' discretion to provide advice on implementing this  
2 chapter. Among other duties, the advisory committee shall  
3 make recommendations regarding an education and training  
4 process and an ongoing evaluation or feedback process to help  
5 the department of administrative services implement this  
6 chapter.

7 Sec. 30. NEW SECTION. 473C.7 RULES.

8 1. The department of administrative services, the  
9 department of education, and the state board of regents shall  
10 adopt rules pursuant to chapter 17A to administer this  
11 chapter.

12 2. In adopting implementation rules, the department of  
13 education and the state board of regents, in consultation with  
14 the department of administrative services, shall review and  
15 modify any other requirement for energy conservation by public  
16 schools and institutions of higher learning.

17 3. In adopting implementation rules, the department of  
18 education, in consultation with the state board of education  
19 shall do all of the following:

20 a. Review private and public utility providers' capacity  
21 and financial and technical assistance programs for affected  
22 public school districts to monitor and report utility  
23 consumption for purposes of reporting to the director of the  
24 department of education as provided in section 473C.4.

25 b. Coordinate with the department of administrative  
26 services, the state board of health, the department of natural  
27 resources, federal agencies, and other affected agencies as  
28 appropriate in their consideration of rules to implement this  
29 section.

30 Sec. 31. NEW SECTION. 473C.8 NONLIABILITY.

31 A member of the design or construction team shall not be  
32 held liable for the failure of a major facility project to  
33 meet the LEED silver standard or other LEED standard  
34 established for the project as long as a good faith attempt  
35 was made to achieve the LEED standard set for the project.



1 increases the maximum amount of nameplate generating capacity  
2 for wind energy conversion systems from 90 megawatts to 180  
3 megawatts and increases the maximum amount of other renewable  
4 energy facilities available from 10 megawatts to 20 megawatts.  
5 The bill provides for the Iowa utilities board to deny any  
6 application received after the maximum amount of nameplate  
7 generating capacity has been reached.

8 DIVISION III -- GREEN BUILDING INCOME TAX CREDITS. The  
9 bill provides for a tax credit on personal and corporate  
10 income tax for the construction or rehabilitation of certain  
11 buildings certified under certain building standards that  
12 promote energy efficiency. Tax credits are available in an  
13 amount equal to a percentage of the costs for the construction  
14 of or rehabilitation to a green whole building standard, green  
15 base building standard, and green tenant space standard, and  
16 for the installation of a fuel cell, photovoltaic module, or  
17 wind turbine as provided by the bill.

18 DIVISION IV -- IOWA CENTER FOR ADVANCED RENEWABLE ENERGY.  
19 The bill establishes the Iowa center for advanced renewable  
20 energy at the Iowa energy center at Iowa state university of  
21 science and technology to improve the economic and  
22 environmental performance in addition to the feasibility of  
23 renewable energy products and production in this state. An  
24 appropriation of \$5 million each fiscal year for five years is  
25 made to the board of regents for the new center.

26 DIVISION V -- RENEWABLE ENERGY PRODUCTION STANDARD. The  
27 bill requires rate-regulated public utilities to own or  
28 purchase at least five percent of their total annual Iowa  
29 retail electric sales from alternative energy production  
30 facilities by December 31, 2010. The bill increases the  
31 percentage to 7 percent by December 31, 2015, and to 10  
32 percent by December 31, 2020, and each year thereafter.

33 DIVISION VI -- STATE BUILDING CODE EFFICIENCY ENFORCEMENT.  
34 The bill makes an appropriation of \$200,000 per fiscal year  
35 for five fiscal years to the office of the state fire marshal

1 of the department of public safety to provide public education  
2 of energy-efficiency standards required by the state building  
3 code.

4 DIVISION VII -- CLIMATE CHANGE ADVISORY COUNCIL. The bill  
5 establishes a state advisory council on climate change to  
6 advise the governor and general assembly on issues relating to  
7 climate change, facilitate cooperation among private industry  
8 and citizens on climate change, identify research and  
9 assessment needs, investigate the effects of climatic change  
10 on human health, agriculture, and natural resources, and  
11 evaluate current greenhouse gas mitigation projects. The bill  
12 makes an appropriation of \$100,000 per fiscal year for five  
13 years to the department of natural resources for the  
14 establishment and support of the state advisory council on  
15 climate change.

16 DIVISION VIII -- GREEN PUBLIC BUILDINGS. The bill requires  
17 certain public buildings to meet certain green building rating  
18 standards as high-performance public buildings. The bill  
19 requires all major facility projects of a state agency or of  
20 another person, institution of higher learning, or public  
21 school district that receives an appropriation of state funds  
22 from the general assembly to be designed, constructed, and  
23 certified to certain standards of the United States building  
24 council leadership in energy and environmental design green  
25 building rating standard otherwise called the LEED silver  
26 standard. The bill provides for exceptions to the  
27 certification requirement under the bill.

28 The bill provides for certain provisions of the bill  
29 related to appropriations to be repealed at a future date and  
30 provides for an effective date for division II.

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