

LEGISLATIVE FISCAL ESTIMATE:

No

VETO MESSAGE:

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GOVERNOR'S PRESS RELEASE ON SIGNING:

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IS 6/3/08

P.L. 2007, CHAPTER 269, *approved January 13, 2008*
Senate Committee Substitute (*First Reprint*) for
Senate, Nos. 843 and 2146

1 AN ACT concerning the construction of certain State buildings and
2 supplementing Title 52 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. As used in this act:

8 “High performance green building” means a building that is
9 designed and constructed in a manner that achieves at least:

10 a. a silver rating according to the Leadership in Energy and
11 Environmental Design Green Building Rating System as adopted by
12 the United States Green Building Council;

13 b. a two globe rating according to the Green Globes Program as
14 adopted by the Green Building Initiative; or

15 c. a comparable numeric rating according to a nationally
16 recognized, accepted, and appropriate numeric sustainable
17 development rating system, guideline, or standard as the
18 Commissioner of Community Affairs, in consultation with the
19 Commissioner of Environmental Protection ¹, the Director of
20 Energy Savings established pursuant to Executive Order No.11 of
21 2006,¹ and the Board of Public Utilities, may designate by
22 regulation.

23 A “high performance green building” shall not mean any free-
24 standing parking facility, multiple use maintenance facility or
25 storage facility.

26 “State governmental entity” means the Executive, Legislative
27 and Judicial branches of the State government, any agency or
28 instrumentality of the State, including any board, bureau,
29 commission, corporation, department, or division, any independent
30 State authority, and any State institution of higher education. A
31 county, municipality, or school district, or any agency or
32 instrumentality thereof, shall not be deemed a State governmental
33 entity.

34

35 2. Any new building having at least 15,000 square feet in total
36 floor area that is to be constructed for the sole use of a State
37 governmental entity after the effective date of this act shall be
38 designed and managed to meet standards for a high performance
39 green building. The Director of the Division of Property
40 Management and Construction in the Department of the Treasury,

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate floor amendments adopted June 18, 2007.

1 in cooperation with the New Jersey Building Authority where
2 appropriate, shall enforce the provisions of this act. All plans,
3 specifications and bid proposal documents for any building to
4 which the provisions of this section apply shall identify all the
5 requirements for meeting the appropriate certification level standard
6 as provided in subsections a., b. or c. of section 1 of this act, as
7 appropriate. The requirements of this act shall not apply to any
8 building for which a request for proposal for entering into a contract
9 to design the building has been issued prior to the effective date of
10 this act.

11

12 3. This act shall take effect immediately.

13

14

15

16

17 _____
18 Requires certain State buildings to be designed and managed to
meet high performance green building standards.

SENATE, No. 843

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JANUARY 17, 2006

Sponsored by:
Senator MARTHA W. BARK
District 8 (Burlington)

SYNOPSIS

Requires existing State buildings to be evaluated under certain energy and environmental performance standards and new State buildings to be designed and managed using those standards.

CURRENT VERSION OF TEXT

As introduced.



S843 BARK

2

1 AN ACT concerning State buildings and supplementing Title 52 of
2 the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. As used in this act:

8 "Division" means the Division of Property Management and
9 Construction in the Department of the Treasury; and

10 "Green Building Rating System" means the Leadership in Energy
11 and Environmental Design (LEED) Green Building Rating System
12 for measuring and evaluating the energy and environmental
13 performance of a building, as adopted by the U.S. Green Building
14 Council.

15

16 2. The Division of Property Management and Construction in
17 the Department of the Treasury shall conduct a study using the
18 Green Building Rating System to measure and evaluate the energy
19 and environmental performance of each building owned, or leased
20 for a term of at least 10 years, by the State. The division shall
21 prepare a written report of the findings and conclusions of the
22 study, and include in that report any recommendations for
23 legislative or administrative action pertaining thereto and, for each
24 building, (1) a list of possible improvements that could reasonably
25 be made to increase the building's score under the rating system,
26 and (2) a cost-benefit analysis for each of those possible
27 improvements. The division shall transmit the written report within
28 one year after the date of enactment of this act to the Governor, the
29 President of the Senate, the Speaker of the General Assembly, the
30 State House Commission, the chairpersons of the Senate
31 Environment Committee, Senate State Government Committee,
32 Assembly Environment and Solid Waste Committee, and Assembly
33 State Government Committee, or their successors, and the
34 Commissioner of Environmental Protection. The written report
35 shall also be made available to the public at no charge or for a fee
36 not to exceed the cost of reproduction, and shall be posted on the
37 Internet.

38

39 3. Any building to be constructed by or for the State after the
40 date of enactment of this act shall be designed and managed, to the
41 maximum extent practicable and feasible, so that it may be certified
42 at the highest possible applicable level under the standards of the
43 Green Building Rating System. The requirements of this section
44 shall not apply to any building for which a request for proposal for
45 entering into a contract to construct a State building has been issued
46 prior to the date of enactment of this act.

47

48 4. This act shall take effect immediately.

STATEMENT

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2

3 This bill requires the Division of Property Management and
4 Construction in the Department of the Treasury to conduct a study
5 using the "Green Building Rating System" to measure and evaluate
6 the energy and environmental performance of each building owned,
7 or leased for a term of at least 10 years, by the State. The bill also
8 requires the division to prepare a written report of the findings and
9 conclusions of the study, and include in that report any
10 recommendations for legislative or administrative action pertaining
11 thereto and, for each building, (1) a list of possible improvements
12 that could reasonably be made to increase the building's score under
13 the rating system, and (2) a cost-benefit analysis for each of those
14 possible improvements. The division is required to transmit the
15 written report to appropriate State officials, and to make it available
16 to the public, within one year after the date of enactment of the bill.

17 The bill also provides that any building to be constructed by or
18 for the State must be designed and managed, to the maximum extent
19 practicable and feasible, so that it may be certified at the highest
20 possible applicable level under the standards of the Green Building
21 Rating System.

22 The purpose of this bill is to promote energy efficient and
23 environmentally friendly State government buildings. The Green
24 Building Rating System cited in the bill is the Leadership in Energy
25 and Environmental Design (LEED) Green Building Rating System,
26 as adopted by the U.S. Green Building Council, which measures
27 and evaluates the energy and environmental performance of a
28 building.

29 As described in a gubernatorial executive order issued in the
30 State of Maryland, which instituted a "green buildings" program
31 modeled at least in part upon the LEED rating system, a "green
32 building" is a "philosophy of building design and construction
33 which incorporates the following concepts: using natural resources
34 efficiently; considering the impact of buildings on the local,
35 regional and global environment; reducing building footprint size;
36 allowing ecosystems to function naturally; conserving and reusing
37 water; treating storm water on-site; maximizing the use of local
38 materials; optimizing energy performance by installing energy
39 efficient equipment and systems; optimizing climatic conditions
40 through site orientation and design; integrating natural day-lighting
41 and ventilation; minimizing the use of mined rare metals and
42 persistent synthetic compounds; and minimizing construction waste
43 by reducing, reusing and recycling materials during all phases of
44 construction and deconstruction."

45 Another example where the "green building" concept has been
46 implemented is Arlington County, Virginia, which has described
47 some of the characteristics of a "green building" as follows:

48 "[p]reserving natural vegetation; containing non-toxic or recycled-

S843 BARK

4

1 content building materials; maintaining good indoor air-quality;
2 using water and energy efficiently; conserving natural resources;
3 featuring natural lighting; including recycling facilities throughout;
4 including access to public transportation; featuring flexible
5 interiors; and recycling construction and demolition waste."

6 It is hoped that, with passage of this bill, the State of New Jersey
7 will then be one of the national leaders in this important effort to
8 promote construction and development that incorporates sound
9 energy conservation and environmental protection principles.

SENATE, No. 2146

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JULY 28, 2006

Sponsored by:

Senator FRED H. MADDEN, JR.
District 4 (Camden and Gloucester)
Senator LORETTA WEINBERG
District 37 (Bergen)

Co-Sponsored by:

Senator B.Smith

SYNOPSIS

Requires new State buildings to be designed and managed to meet Silver level certification under Leadership in Energy and Environmental Design (LEED) Green Building Rating System.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the construction of new State buildings and
2 supplementing Title 52 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. As used in this act:

8 “LEED Green Building Rating System” means the Leadership in
9 Energy and Environmental Design Green Building Rating System
10 for measuring and evaluating the energy and environmental
11 performance of a building, as developed and published by the
12 United States Green Building Council.

13 “Silver level building” means a high performance green building
14 that meets a level of performance that is equivalent to or higher than
15 the silver level of performance certified under the LEED Green
16 Building Rating System.

17 “State governmental entity” means any department, authority,
18 board, bureau, commission, agency, or bi-state agency of the State,
19 any State independent authority, and Rutgers, The State University,
20 and any other four-year public institution of higher education.

21

22 2. Any new building at least 15,000 square feet in area that is to
23 be constructed by or for a State governmental entity after the date of
24 enactment of this act shall be designed and managed to meet silver
25 level building certification. The requirements of this section shall
26 not apply to any such building for which a request for proposal for
27 entering into a contract to construct the building has been issued
28 prior to the date of enactment of this act.

29

30 3. This act shall take effect immediately.

31

32

33

STATEMENT

34

35 This bill would require all new buildings at least 15,000 square
36 feet in area that are to be constructed by or for a State governmental
37 entity to be designed and managed to meet a "green building" silver
38 level building certification, which means a level of performance as
39 a green building that is equivalent to or higher than the silver level
40 of performance certified under the Leadership in Energy and
41 Environmental Design (LEED) Green Building Rating System
42 developed and published by the United States Green Building
43 Council. The bill would apply to such buildings constructed by or
44 for any department, authority, board, bureau, commission, agency,
45 or bi-state agency of the State, any State independent authority, and
46 Rutgers, The State University, and any other four-year public
47 institution of higher education. The purpose of the bill is to

1 promote energy efficient and environmentally friendly State
2 government buildings.

3 Green building construction practices significantly reduce or
4 eliminate the negative impact of buildings on the environment and
5 occupants in five broad areas: sustainable site planning;
6 safeguarding water and water efficiency; energy efficiency and
7 renewable energy; conservation of materials and resources; and
8 indoor environmental quality. The benefits of green building
9 include reduced consumption of natural resources, cost-saving
10 economics, enhanced occupant comfort and health, improved
11 quality of life and community benefits by minimizing the strain on
12 local infrastructure.

13 Green building designs and construction incorporate the
14 following concepts: using natural resources efficiently; considering
15 the impact of the building on the local, regional and global
16 environment; reducing building footprint size; allowing ecosystems
17 to function naturally; conserving and reusing water; treating storm
18 water on-site; maximizing the use of local materials; optimizing
19 energy performance by installing energy efficient equipment and
20 systems; optimizing climatic conditions through site orientation and
21 design; integrating natural day-lighting and ventilation; minimizing
22 the use of mined raw metals and persistent synthetic compounds;
23 and minimizing construction waste by reducing, reusing and
24 recycling materials during all phases of construction and
25 deconstruction.

26 Some other characteristics of a “green building” are: preserving
27 natural vegetation; containing non-toxic or recycled-content
28 building materials; maintaining good indoor air-quality; using water
29 and energy efficiently; conserving natural resources; featuring
30 natural lighting; including recycling facilities throughout; including
31 access to public transportation; featuring flexible interiors; and
32 recycling construction and demolition waste.

33 With the passage of this bill, the State of New Jersey would be
34 one of the national leaders in the effort to promote construction and
35 development that incorporates sound energy conservation and
36 environmental protection principles.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, Nos. 843 and 2146**

STATE OF NEW JERSEY

DATED: MARCH 5, 2007

The Senate Economic Growth Committee reports favorably a Senate Committee Substitute for Senate Bill Nos. 843 and 2146.

This substitute bill would require that, except for any free-standing parking facility, multiple use maintenance facility or storage facility, any new building having at least 15,000 square feet in total floor area that is to be constructed for the sole use of a State governmental entity is to be designed and managed to meet one of three alternative standards for a “high performance green building” as defined in the bill. The Director of the Division of Property Management and Construction in the Department of the Treasury, in cooperation with the New Jersey Building Authority where appropriate, is to enforce the provisions of the bill. All plans, specifications and bid proposal documents for any building to which the bill applies shall identify all the requirements for meeting the appropriate certification level standard. The requirements of the bill are not to apply to any building for which a request for proposal for entering into a contract to design the building has been issued prior to the effective date of the bill. The purpose of the bill is to promote energy efficient and environmentally friendly State government buildings.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, Nos. 843 and 2146**

STATE OF NEW JERSEY

DATED: MAY 14, 2007

The Senate Budget and Appropriations Committee reports favorably the Senate Committee Substitute for Senate Bill Nos. 843 and 2146.

The Senate Committee Substitute for Senate Bill Nos. 843 and 2146 requires certain State buildings to be designed and managed to meet high performance green building standards. The substitute bill requires that any new building having at least 15,000 square feet in total floor area that is to be constructed for the sole use of a State governmental entity is to be designed and managed to meet one of three alternative standards for a "high performance green building" as defined in the substitute bill. A building that is a free-standing parking facility, multiple use maintenance facility or storage facility is excluded from the requirements of the substitute.

The Director of the Division of Property Management and Construction in the Department of the Treasury, in cooperation with the New Jersey Building Authority where appropriate, is to enforce the provisions of the substitute bill. All plans, specifications and bid proposal documents for any applicable building shall identify all the requirements for meeting the appropriate certification level standard. The requirements of the substitute are not to apply to any building for which a request for proposal for entering into a contract to design the building has been issued prior to the effective date of the substitute. The purpose of the substitute bill is to promote energy efficient and environmentally friendly State government buildings.

FISCAL IMPACT:

The Office of Legislative Services estimates that any additional costs incurred as a result of complying with green building standards will be offset by the anticipated cost savings realized from the energy efficiencies derived from the standards. National studies have indicated that although building costs increase an average of one to three percent when green building standards are applied, up to 50 percent in energy cost savings are realized once such buildings are in operation.

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 843 and 2146

with Senate Floor Amendments
(Proposed By Senator BARK)

ADOPTED: JUNE 18, 2007

This amendment would add the Director of Energy Savings, established pursuant to Executive Order No.11 of 2006, to the list of members of the executive branch with whom the Commissioner of Community Affairs must consult regarding an appropriate numeric sustainable development rating system, guideline, or standard.

LEGISLATIVE FISCAL ESTIMATE
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 843 and 2146
STATE OF NEW JERSEY
212th LEGISLATURE

DATED: MAY 24, 2007

SUMMARY

Synopsis: Requires certain State buildings to be designed and managed to meet high performance green building standards.

Type of Impact: None

Agencies Affected: Department of the Treasury and the N.J. Building Authority.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	No Impact - See Comments Below		

- The bill requires all new State government buildings over 15,000 square feet in area to be designed and managed to meet a "high performance green building" standard.
- The "high performance green building" standard is defined as meeting one of three alternative, nationally recognized rating standards such as the silver level of performance under the Leadership in Energy and Environmental Design Green Building Rating.
- Municipal, county or school district buildings are not affected by the bill.
- The Office of Legislative Services estimates that any additional costs incurred in meeting the green building standard would likely be more than offset by expected cost savings derived from the energy efficiencies incorporated into its design.

BILL DESCRIPTION

Senate Committee Substitute for Senate Bill Nos. 843 and 2146 of 2006 would require all new buildings at least 15,000 square feet in area that are to be constructed for a State governmental entity to be designed and managed to meet one of three alternative standards for a "high performance green building" as defined by the bill. This standard refers to a building that

is designed and constructed in a manner that achieves at least a silver level of performance certified under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System; a two globe rating under the Green Globes Program; or one other comparable nationally recognized rating criteria. The bill's purpose is to promote energy efficient and environmentally friendly State government buildings. Municipal, county or school district buildings are not affected by the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services estimates that the any additional costs that may be incurred as a result of complying with green building standards would be more than offset by expected cost savings derived from the energy efficiencies incorporated into its design. National studies have indicated that although building costs increase an average of one to three percent when green building standards are applied, up to 50 percent in energy cost savings are realized once such buildings are in operation.

Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Richard M. Handelman
Senior Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L. 1980, c.67.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2146
STATE OF NEW JERSEY
212th LEGISLATURE

DATED: NOVEMBER 8, 2006

SUMMARY

- Synopsis:** Requires new State buildings to be designed and managed to meet Silver level certification under Leadership in Energy and Environmental Design Green Building Rating System.
- Type of Impact:** Unknown.
- Agencies Affected:** Agencies overseeing the construction of a State building.

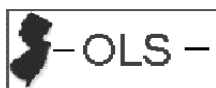
Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Unknown – see explanation below.		

- The bill requires all new State buildings over 15,000 square feet in area to be designed and managed to meet a "green building" silver level building certification.
- The silver level of performance refers to the Leadership in Energy and Environmental Design Green Building Rating System developed and published by the United States Green Building Council.
- The purpose of the bill is to promote energy efficient and environmentally friendly State government buildings.
- The Office of Legislative Services cannot estimate the fiscal impact of the bill because long-term energy efficiency savings may offset or exceed any additional construction costs needed to comply with the bill.

BILL DESCRIPTION

Senate Bill No. 2146 of 2006 would require all new buildings at least 15,000 square feet in area that are to be constructed by or for a State governmental entity to be designed and managed to meet a "green building" silver level building certification. This requirement is defined as a level of performance that is equivalent to or higher than the silver level of performance certified



under the Leadership in Energy and Environmental Design Green Building Rating System developed and published by the United States Green Building Council. The purpose of the bill is to promote energy efficient and environmentally friendly State government buildings.

According to the bill, green building construction practices are designed to significantly reduce or eliminate the negative impact of buildings on the environment and occupants in five broad areas: sustainable site planning; safeguarding water and water efficiency; energy efficiency and renewable energy; conservation of materials and resources; and indoor environmental quality. The intended benefits of green building include reduced consumption of natural resources, cost-saving economics, enhanced occupant comfort and health, improved quality of life and community benefits by minimizing the strain on local infrastructure.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services cannot estimate the fiscal impact of the bill because any additional costs that may be incurred in the initial construction phase as a result of complying with green building standards could be ultimately offset or exceeded by cost savings derived from the efficiencies incorporated into its design.

Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Richard M. Handelman
Senior Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L. 1980, c.67.

ASSEMBLY, No. 2039

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JANUARY 17, 2006

Sponsored by:

Assemblyman LARRY CHATZIDAKIS
District 8 (Burlington)

Co-Sponsored by:

Assemblymen Bodine and Bateman

SYNOPSIS

Requires existing State buildings to be evaluated under certain energy and environmental performance standards and new State buildings to be designed and managed using those standards.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/12/2006)

A2039 CHATZIDAKIS

2

1 AN ACT concerning State buildings and supplementing Title 52 of
2 the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. As used in this act:

8 "Division" means the Division of Property Management and
9 Construction in the Department of the Treasury; and

10 "Green Building Rating System" means the Leadership in Energy
11 and Environmental Design (LEED) Green Building Rating System
12 for measuring and evaluating the energy and environmental
13 performance of a building, as adopted by the U.S. Green Building
14 Council.

15

16 2. The Division of Property Management and Construction in
17 the Department of the Treasury shall conduct a study using the
18 Green Building Rating System to measure and evaluate the energy
19 and environmental performance of each building owned, or leased
20 for a term of at least 10 years, by the State. The division shall
21 prepare a written report of the findings and conclusions of the
22 study, and include in that report any recommendations for
23 legislative or administrative action pertaining thereto and, for each
24 building, (1) a list of possible improvements that could reasonably
25 be made to increase the building's score under the rating system,
26 and (2) a cost-benefit analysis for each of those possible
27 improvements. The division shall transmit the written report within
28 one year after the date of enactment of this act to the Governor, the
29 President of the Senate, the Speaker of the General Assembly, the
30 State House Commission, the chairpersons of the Senate
31 Environment Committee, Senate State Government Committee,
32 Assembly Environment and Solid Waste Committee, and Assembly
33 State Government Committee, or their successors, and the
34 Commissioner of Environmental Protection. The written report
35 shall also be made available to the public at no charge or for a fee
36 not to exceed the cost of reproduction, and shall be posted on the
37 Internet.

38

39 3. Any building to be constructed by or for the State after the
40 date of enactment of this act shall be designed and managed, to the
41 maximum extent practicable and feasible, so that it may be certified
42 at the highest possible applicable level under the standards of the
43 Green Building Rating System. The requirements of this section
44 shall not apply to any building for which a request for proposal for
45 entering into a contract to construct a State building has been issued
46 prior to the date of enactment of this act.

47

48 4. This act shall take effect immediately.

STATEMENT

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2

3 This bill requires the Division of Property Management and
4 Construction in the Department of the Treasury to conduct a study
5 using the "Green Building Rating System" to measure and evaluate
6 the energy and environmental performance of each building owned,
7 or leased for a term of at least 10 years, by the State. The bill also
8 requires the division to prepare a written report of the findings and
9 conclusions of the study, and include in that report any
10 recommendations for legislative or administrative action pertaining
11 thereto and, for each building, (1) a list of possible improvements
12 that could reasonably be made to increase the building's score under
13 the rating system, and (2) a cost-benefit analysis for each of those
14 possible improvements. The division is required to transmit the
15 written report to appropriate State officials, and to make it available
16 to the public, within one year after the date of enactment of the bill.

17 The bill also provides that any building to be constructed by or
18 for the State must be designed and managed, to the maximum extent
19 practicable and feasible, so that it may be certified at the highest
20 possible applicable level under the standards of the Green Building
21 Rating System.

22 The purpose of this bill is to promote energy efficient and
23 environmentally friendly State government buildings. The Green
24 Building Rating System cited in the bill is the Leadership in Energy
25 and Environmental Design (LEED) Green Building Rating System,
26 as adopted by the U.S. Green Building Council, which measures
27 and evaluates the energy and environmental performance of a
28 building.

29 As described in a gubernatorial executive order issued in the
30 State of Maryland, which instituted a "green buildings" program
31 modeled at least in part upon the LEED rating system, a "green
32 building" is a "philosophy of building design and construction
33 which incorporates the following concepts: using natural resources
34 efficiently; considering the impact of buildings on the local,
35 regional and global environment; reducing building footprint size;
36 allowing ecosystems to function naturally; conserving and reusing
37 water; treating storm water on-site; maximizing the use of local
38 materials; optimizing energy performance by installing energy
39 efficient equipment and systems; optimizing climatic conditions
40 through site orientation and design; integrating natural day-lighting
41 and ventilation; minimizing the use of mined rare metals and
42 persistent synthetic compounds; and minimizing construction waste
43 by reducing, reusing and recycling materials during all phases of
44 construction and deconstruction."

45 Another example where the "green building" concept has been
46 implemented is Arlington County, Virginia, which has described
47 some of the characteristics of a "green building" as follows:
48 "[p]reserving natural vegetation; containing non-toxic or recycled-

A2039 CHATZIDAKIS

4

1 content building materials; maintaining good indoor air-quality;
2 using water and energy efficiently; conserving natural resources;
3 featuring natural lighting; including recycling facilities throughout;
4 including access to public transportation; featuring flexible
5 interiors; and recycling construction and demolition waste."

6 It is hoped that, with passage of this bill, the State of New Jersey
7 will then be one of the national leaders in this important effort to
8 promote construction and development that incorporates sound
9 energy conservation and environmental protection principles.

ASSEMBLY, No. 3841

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JANUARY 4, 2007

Sponsored by:

Assemblyman CHRISTOPHER "KIP" BATEMAN

District 16 (Morris and Somerset)

Assemblyman PETER J. BIONDI

District 16 (Morris and Somerset)

Assemblywoman AMY H. HANDLIN

District 13 (Middlesex and Monmouth)

SYNOPSIS

Requires new State buildings to be designed and managed to meet Silver level certification under Leadership in Energy and Environmental Design (LEED) Green Building Rating System.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/11/2007)

1 AN ACT concerning the construction of new State buildings and
2 supplementing Title 52 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. As used in this act:

8 “LEED Green Building Rating System” means the Leadership in
9 Energy and Environmental Design Green Building Rating System
10 for measuring and evaluating the energy and environmental
11 performance of a building, as developed and published by the
12 United States Green Building Council.

13 “Silver level building” means a high performance green building
14 that meets a level of performance that is equivalent to or higher than
15 the silver level of performance certified under the LEED Green
16 Building Rating System.

17 “State governmental entity” means any department, authority,
18 board, bureau, commission, agency, or bi-state agency of the State,
19 any State independent authority, and Rutgers, The State University,
20 and any other four-year public institution of higher education.

21

22 2. Any new building at least 15,000 square feet in area that is to
23 be constructed by or for a State governmental entity after the date of
24 enactment of this act shall be designed and managed to meet silver
25 level building certification. The requirements of this section shall
26 not apply to any such building for which a request for proposal for
27 entering into a contract to construct the building has been issued
28 prior to the date of enactment of this act.

29

30 3. This act shall take effect immediately.

31

32

33

STATEMENT

34

35 This bill would require all new buildings at least 15,000 square
36 feet in area that are to be constructed by or for a State governmental
37 entity to be designed and managed to meet a "green building" silver
38 level building certification, which means a level of performance as
39 a green building that is equivalent to or higher than the silver level
40 of performance certified under the Leadership in Energy and
41 Environmental Design (LEED) Green Building Rating System
42 developed and published by the United States Green Building
43 Council. The bill would apply to such buildings constructed by or
44 for any department, authority, board, bureau, commission, agency,
45 or bi-state agency of the State, any State independent authority, and
46 Rutgers, The State University, and any other four-year public
47 institution of higher education. The purpose of the bill is to

1 promote energy efficient and environmentally friendly State
2 government buildings.

3 Green building construction practices significantly reduce or
4 eliminate the negative impact of buildings on the environment and
5 occupants in five broad areas: sustainable site planning;
6 safeguarding water and water efficiency; energy efficiency and
7 renewable energy; conservation of materials and resources; and
8 indoor environmental quality. The benefits of green building
9 include reduced consumption of natural resources, cost-saving
10 economics, enhanced occupant comfort and health, improved
11 quality of life and community benefits by minimizing the strain on
12 local infrastructure.

13 Green building designs and construction incorporate the
14 following concepts: using natural resources efficiently; considering
15 the impact of the building on the local, regional and global
16 environment; reducing building footprint size; allowing ecosystems
17 to function naturally; conserving and reusing water; treating storm
18 water on-site; maximizing the use of local materials; optimizing
19 energy performance by installing energy efficient equipment and
20 systems; optimizing climatic conditions through site orientation and
21 design; integrating natural day-lighting and ventilation; minimizing
22 the use of mined raw metals and persistent synthetic compounds;
23 and minimizing construction waste by reducing, reusing and
24 recycling materials during all phases of construction and
25 deconstruction.

26 Some other characteristics of a “green building” are: preserving
27 natural vegetation; containing non-toxic or recycled-content
28 building materials; maintaining good indoor air-quality; using water
29 and energy efficiently; conserving natural resources; featuring
30 natural lighting; including recycling facilities throughout; including
31 access to public transportation; featuring flexible interiors; and
32 recycling construction and demolition waste.

33 With the passage of this bill, the State of New Jersey would be
34 one of the national leaders in the effort to promote construction and
35 development that incorporates sound energy conservation and
36 environmental protection principles.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 2039 and 3841

STATE OF NEW JERSEY

DATED: MAY 21, 2007

The Assembly Environment and Solid Waste Committee reports favorably an Assembly Committee Substitute for Assembly Bill Nos. 2039 and 3841.

The committee substitute requires certain State buildings to be designed and managed to meet high performance green building standards. The substitute bill requires that any new building having at least 15,000 square feet in total floor area that is to be constructed for the sole use of a State governmental entity is to be designed and managed to meet one of three alternative standards for a "high performance green building" as defined in the substitute bill. A building that is a free-standing parking facility, multiple use maintenance facility or storage facility is excluded from the requirements of the substitute.

The Director of the Division of Property Management and Construction in the Department of the Treasury, in cooperation with the New Jersey Building Authority where appropriate, is to enforce the provisions of the substitute bill. All plans, specifications and bid proposal documents for any applicable building shall identify all the requirements for meeting the appropriate certification level standard. The requirements would not apply to any building for which a request for proposal for entering into a contract to design the building has been issued prior to the effective date of the substitute bill.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, Nos. 2039 and 3841

STATE OF NEW JERSEY

DATED: JUNE 18, 2007

The Assembly Budget Committee reports favorably Assembly Bill Nos. 2039 and 3841 (ACS).

The bill requires certain State buildings to be designed and managed to meet high performance green building standards. The substitute bill requires that any new building having at least 15,000 square feet in total floor area that is to be constructed for the sole use of a State governmental entity is to be designed and managed to meet one of three alternative standards for a “high performance green building” as defined in the substitute bill. A building that is a free-standing parking facility, multiple use maintenance facility or storage facility is excluded from the requirements of the substitute.

The Director of the Division of Property Management and Construction in the Department of the Treasury, in cooperation with the New Jersey Building Authority where appropriate, is to enforce the provisions of the substitute bill. All plans, specifications and bid proposal documents for any applicable building shall identify all the requirements for meeting the appropriate certification level standard. The requirements would not apply to any building for which a request for proposal for entering into a contract to design the building has been issued prior to the effective date of the substitute bill.

FISCAL IMPACT:

The Office of Legislative Services is unable to determine the fiscal impact of this bill because necessary data are not available.