

ASSEMBLY BILL

No. 35

**Introduced by Assembly Member Ruskin
(Principal coauthor: Assembly Member Lieu)**

December 4, 2006

An act to add Part 3.1 (commencing with Section 71117) to Division 34 of the Public Resources Code, relating to the environment.

LEGISLATIVE COUNSEL'S DIGEST

AB 35, as introduced, Ruskin. Environment: state buildings: sustainable building standards.

Existing law sets forth various requirements for energy and design efficiency in construction and renovation in state buildings.

This bill would enact the Sustainable Building Act of 2007 and would require the California Integrated Waste Management Board, by July 1, 2009, to adopt regulations for sustainable building standards for the construction or renovation of state buildings, as defined. The bill would require the board, when adopting the regulations, to consider existing relevant information and guidelines, as specified, to consult with appropriate state agencies, and specified private and public sector organizations and the public, and to hold at least 2 public workshops. The bill would require, on and after July 1, 2010, that a state building for which development of capitol plans commences after that date, and a renovation commencing on or after that date, be built, designed, and operated in accordance with those regulations.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Part 3.1 (commencing with Section 71117) is
2 added to Division 34 of the Public Resources Code, to read:

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4 PART 3.1. SUSTAINABLE BUILDING ACT OF 2007

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6 71117. The Legislature finds and declares all of the following:

7 (a) California is committed to providing leadership on energy,
8 environmental, and public health issues by implementing
9 innovative and resource-efficient public building design practices
10 and other state government programs that improve the lives of
11 California’s 35 million residents.

12 (b) The state invests approximately two billion dollars
13 (\$2,000,000,000) annually for design, construction, and renovation,
14 and more than six hundred million dollars (\$600,000,000) annually
15 for energy, water, and waste disposal at state-funded facilities.

16 (c) A building’s energy, water, and waste disposal costs are
17 computed over a 25-year period, or for the life of the building, and
18 far exceed the cost of design and construction.

19 (d) An opportunity exists for the state to foster continued
20 economic growth and provide environmental leadership by
21 incorporating sustainable building practices into the state capital
22 outlay and building management processes.

23 (e) Sustainable building practices utilize energy, water, and
24 materials efficiently throughout the building’s life cycle; enhance
25 indoor air quality; improve employees’ health, comfort, and
26 productivity; incorporate environmentally preferable products, and
27 thereby substantially reduce the costs and environmental impacts
28 associated with long-term building operations, without
29 compromising building performance or the needs of future
30 generations.

31 (f) The widespread adoption of sustainable building principles
32 would result in significant long-term benefits to California
33 environment, including reductions in smog generation, runoff of
34 water pollutants to surface water and groundwater sources, and
35 the demand for energy, water, and sewage treatment services, and
36 the fiscal and environmental impacts resulting from the expansion
37 of these infrastructures.

1 (g) It is critical that the state provides leadership to both the
2 private and public sectors in the sustainable building arena.

3 (h) It is the policy of the state to site, design, deconstruct,
4 construct, renovate, operate, and maintain state buildings that are
5 models of energy, water, and material efficiency, while providing
6 healthy, productive, and comfortable indoor environments and
7 long-term benefits to Californians.

8 (i) The Climate Action Team’s report, Climate Action Team
9 Report to the Governor and the Legislature, identifies strategies
10 to reduce greenhouse gas emissions, which include continued
11 implementation of the Green Building Initiative and energy
12 efficiency standards for state buildings.

13 (j) It is the intent of the Legislature, in enacting this part, to
14 recognize that no one set of existing “green” building guidelines
15 may encompass the state’s unique economic and natural
16 resources-related environment. It is further the intent of the
17 Legislature to ensure that the guidelines adopted pursuant to this
18 part recognize California’s leadership in environmental
19 sustainability practices and include the most rigorous measures
20 and methods possible with regard to the factors specified in
21 subdivision (a) of Section 71117.2.

22 71117.1. For purposes of this part, the following terms have
23 the following meanings:

24 (a) “Board” means the California Integrated Waste Management
25 Board.

26 (b) “Sustainable building” means a project designed to reduce
27 both direct and indirect environmental consequences associated
28 with its construction, use, operation, maintenance, and eventual
29 decommissioning, the design of which is evaluated for cost,
30 quality-of-life impacts, future flexibility, ease of maintenance,
31 energy and resource efficiency, and overall environmental impact,
32 with an emphasis on life-cycle cost analysis.

33 (c) “State building” means a building owned or leased by the
34 state.

35 71117.2. (a) On or before July 1, 2009, the board shall adopt
36 regulations for sustainable building standards for the construction
37 or renovation of state buildings regarding all of the following:

38 (1) Sustainability of the site.

39 (2) Water efficiency.

40 (3) Energy and atmosphere.

1 (4) Materials and resources.
2 (5) Indoor environmental quality.
3 (6) Innovation and design process.
4 (b) When adopting regulations pursuant to this section, the board
5 shall consider those aspects of existing relevant information and
6 guidelines that maximize the measures and methods identified in
7 subdivision (a) and shall allow for flexibility to meet California’s
8 building standards. These existing relevant guidelines and
9 information shall include, but are not limited to, all of the
10 following:
11 (1) The United States Green Building Council’s Leadership in
12 Energy and Environmental Design.
13 (2) The Green Building Initiative’s “Green Globes” rating
14 system.
15 (3) The federal Environmental Protection Agency’s “Federal
16 Green Construction Guide for Specifiers.”
17 (4) The federal Department of Energy’s “Green Federal
18 Facilities.”
19 (5) The state’s Building Better Buildings: An Update on State
20 Sustainable Building Initiatives (Blueprint 2003).
21 (6) The Governor’s Executive Order S-20-04.
22 (c) In adopting regulations pursuant to this part, the board shall
23 take all of the following actions:
24 (1) Consult with appropriate state agencies, the building and
25 construction industry, the building and construction supplies
26 industry, recognized environmental advocacy groups, the League
27 of California Cities, the California State Association of Counties,
28 other interested organizations, and the public.
29 (2) Hold at least two public workshops to discuss the regulations
30 and gather input from interested parties.
31 (d) The board, in consultation with the entities set forth in
32 paragraph (1) of subdivision (c), may revise, if deemed necessary
33 by the board, the regulations developed pursuant to this section.
34 (e) The board shall consult with the California Building
35 Standards Commission to ensure that the regulations developed
36 pursuant to this section are not in conflict with the California
37 Building Standards Code.
38 71117.3. On and after July 1, 2010, a state building for which
39 development of capital plans commences on and after that date,
40 and a renovation to a building owned by the state that commences

- 1 on or after that date, shall be built, designed, and operated in
- 2 accordance with the regulations adopted pursuant to this part.

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