



Support HB 6284 (File No. 21), Green Building Standards

Please fast track this bill, unamended! It's critical to undo the confusion logjam.

Background: A 2007 law amended the building code statute (29-256a) to require green construction as of Jan. 1, 2009. The language, however, is extremely confusing. The design and construction industry, building code officials, Dept. of Public Safety (DPS) and the A.G.'s office do not know how to comply with this statute. HB 6284 clarifies the language. Designers, builders and code officials worked closely with the Public Safety Committee to produce the initial bill. The Co-Chairs convened a meeting of all stakeholders, including Sierra Club and CFE to address remaining issues. Additional language was added at Sierra Club's and CFE's request and everyone agreed to the final language that passed the Committee unanimously.

Correction to Fiscal Note: HB 6284 clarifies and defines terms in Public Act 07-242 and, thereby, should decrease the act's implementation costs. No new buildings are added by HB 6284.

What HB 6284 Does: (in addition to some minor technical corrections)

- **Requires the State Building Code to be amended by a certain date to include green building requirements**, rather than require all buildings be constructed a certain way by 1-1-09. The 2007 law set up a conflict with the Code (i.e., the Building Code in place on the date a building permit is issued was the applicable law until this statute was passed). The date of the new code amendments is 7-1-2010 to give time to DPS to go through the regulatory process.
- **Changes the dollar threshold for affected buildings to "certain buildings of ... a minimum size."** Dollar thresholds don't make sense when comparing high value to low value communities. A sq. ft. threshold is more understandable and would be more consistent across the state.
- **Defines "building construction standards"** as those construction issues that are directly controlled by the State Building Code (i.e., thermal envelope to electrical systems; see lines 24-27 of File No. 21). Nobody, including LEED experts, understands what the 2007 term means in the context of green building rating systems. The language "optimum cost-effective" at line 23 and "indoor air quality and water conservation" at lines 25-26 were added per the environmental advocates' request.
- **Deletes the "silver building rating ..." of the LEED rating system (line 28-29) and "two-globe rating" for the Green Globes USA program (line 33).** These rating levels don't make sense in the building code context or even the existing "building construction standards" context. Under these rating systems, a project receives points for certain development practices, many of which are not related to the building code. You cannot achieve any rating level by constructing a building to any code.
- **Adds the "National Green Building Standard" to LEED and Green Globes** because it is the only green building standard that has achieved ANSI (American Nat'l Standards Institute) recognition as a consensus-based standard. DPS will take the construction standards from these rating systems, as defined above and as applicable, to create building code regulations.
- **Deletes reference to the Institute for Sustainable Energy** (which is 1 professor at East Conn.) **for issuing exemptions.** The DPS has an existing code modification process that works well and will serve the purpose of applying for exemptions to green building code requirements.
- **Adds criteria for demonstrating compliance** (e.g., at the time of application for a building permit and certificate of occupancy; use of private 3rd party verification). The 3rd party verification was requested by the environmental advocates.

Possible additional requests by environmental advocates: (after agreeing to the final language)

- *Require energy-efficiency for commercial construction to be 21% above the ASHRAE 90.1 2004 standard.* However, DPS is already working to include in the next Code a more recent version of the ASHRAE 90.1 standard that is 30% more energy efficient than the 2004 version. **Requiring a percentage increase in statute over national standards would be chasing a moving target** because the national standards referenced in our State Building Code are constantly being changed. **And, referencing in statute any specific national standards is not wise because they are not flawless.**
- *Specify minimum sq. ft. for buildings in the statute.* It's not that simple; given the wide variety of project types for new construction and renovations, many nuances need to be worked out in code regulations.
- *Require an "energy efficiency" expert to be on the Codes & Standards Committee.* The CSC is a 17-member statutory body that has broad expertise, including on energy efficiency issues, and has demonstrated abundant willingness to listen to other experts. The public process for adopting codes is lengthy, with many public hearings and numerous opportunities to address the CSC.