

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1096**

Introduced by Haar, 21; Cook, 13; Mello, 5.

Read first time January 21, 2010

Committee: Education

A BILL

- 1 FOR AN ACT relating to schools; to adopt the Nebraska High
- 2 Performance Schools Initiative Act.
- 3 Be it enacted by the people of the State of Nebraska,

1           Section 1. Sections 1 to 8 of this act shall be known as  
2 the Nebraska High Performance Schools Initiative Act.

3           Sec. 2. High performance schools provide the following  
4 benefits of:

5           (1) Improving student performance;

6           (2) Improving the health and well-being of students and  
7 staff;

8           (3) Saving tax dollars;

9           (4) Reducing negative environmental impacts of energy  
10 generation and consumption;

11           (5) Generating positive economic activity; and

12           (6) Creating jobs.

13           Sec. 3. The Legislature finds that in order to address  
14 the upfront costs of high performance schools, it is necessary  
15 to authorize school districts to implement a financing procedure  
16 to pay for these improvements through the savings realized by  
17 increased efficiency.

18           Sec. 4. For purposes of the Nebraska High Performance  
19 Schools Initiative Act, high performance school contract means a  
20 contract for building improvements which will reduce energy and  
21 other operational costs.

22           Sec. 5. Each school district seeking to qualify for  
23 financing under the Nebraska High Performance Schools Initiative  
24 Act shall conduct an assessment of the buildings the district  
25 intends to have participate in a high performance school contract

1 pursuant to the act. Such assessment shall include, but not be  
2 limited to, the following:

3 (1) An audit of energy usage and methods for reducing  
4 energy consumption;

5 (2) An audit of air quality in the facility and methods  
6 for increasing fresh-air flow;

7 (3) An audit of lighting in the facility and methods  
8 of improving lighting in educational spaces, including the use of  
9 natural light;

10 (4) An audit of water use and recommendations for  
11 reducing water use;

12 (5) An audit of use of other resources and  
13 recommendations for making more efficient use of resources;  
14 and

15 (6) Whether the recommended changes fulfill the  
16 requirements for Leadership in Energy and Environmental Design  
17 Green Building Rating System, developed by the United States Green  
18 Building Council that provides standards and certification for  
19 environmentally sustainable construction.

20 Sec. 6. A school district may enter into an energy  
21 financing contract under sections 66-1065 and 66-1066.

22 Sec. 7. School districts shall be eligible for grants  
23 from the Nebraska Environmental Trust and for grants or loans from  
24 funds allocated to the Nebraska Energy Office for energy efficiency  
25 loans from the federal American Recovery and Reinvestment Act of

1 2009 in order to carry out assessment and evaluation procedures  
2 pursuant to the Nebraska High Performance Schools Initiative Act.  
3 First priority for funding shall be given to projects intended to  
4 seek Leadership in Energy and Environmental Design certification.

5           Sec. 8. (1) Each school district which enters into a  
6 contract under the Nebraska High Performance Schools Initiative Act  
7 shall document the energy and operational savings realized on an  
8 annual basis.

9           (2) No school district shall lose state aid to education  
10 as a result of reduced energy or operational costs or because of  
11 any contract entered into pursuant to the Nebraska High Performance  
12 Schools Initiative Act.