

LBD08772-02-9

1 3. "SCHOOL BUILDING" SHALL MEAN A BUILDING OR STRUCTURE THAT IS OWNED
2 BY A SCHOOL DISTRICT OR CITY SCHOOL DISTRICT.

3 4. "OFFICE" SHALL MEAN THE OFFICE OF GENERAL SERVICES.

4 5. "SUBSTANTIAL RENOVATION" SHALL MEAN A SUBSTANTIAL MODIFICATION OF
5 AN EXISTING SCHOOL BUILDING AND SHALL INCLUDE BUT NOT BE LIMITED TO
6 ADDITIONS, ALTERATIONS, AND RECONSTRUCTION AS DETERMINED PURSUANT TO
7 REGULATIONS PROMULGATED BY THE OFFICE PURSUANT TO THIS ARTICLE.

8 6. "DISTRICT" SHALL MEAN A SCHOOL DISTRICT OR CITY SCHOOL DISTRICT.

9 S 92. APPLICABILITY. THIS ARTICLE SHALL APPLY TO THE CONSTRUCTION OF
10 NEW SCHOOL BUILDINGS AND THE SUBSTANTIAL RENOVATION OF EXISTING SCHOOL
11 BUILDINGS, EXCEPT THAT THIS ARTICLE SHALL NOT APPLY IN THE FOLLOWING
12 CIRCUMSTANCES: 1. AN EXISTING SCHOOL BUILDING THAT HAS A HISTORIC
13 STATUS PURSUANT TO FEDERAL, STATE OR LOCAL LAW AND COMPLIANCE WITH
14 CONSTRUCTION REQUIREMENTS AND PROCEDURES ESTABLISHED PURSUANT TO THIS
15 ARTICLE WOULD ALTER THE HISTORIC CHARACTER OF SUCH SCHOOL BUILDING;
16 2. IN THE CASE OF A SUBSTANTIAL RENOVATION, COMPLIANCE WITH
17 CONSTRUCTION REQUIREMENTS AND PROCEDURES ESTABLISHED PURSUANT TO THIS
18 ARTICLE WOULD NOT BE COST EFFECTIVE OVER THE USEFUL LIFE OF SUCH RENO-
19 VATION AS DETERMINED PURSUANT TO REGULATIONS PROMULGATED PURSUANT TO
20 THIS ARTICLE;

21 3. COMPLIANCE WITH THIS ARTICLE OR WITH CONSTRUCTION REQUIREMENTS AND
22 PROCEDURES ESTABLISHED PURSUANT TO THIS ARTICLE WOULD BE INCONSISTENT
23 WITH OR VIOLATE FEDERAL OR STATE LAW;

24 4. SUCH OTHER CIRCUMSTANCES AS THE OFFICE MAY REASONABLY DETERMINE
25 PURSUANT TO REGULATIONS TO NOT BE APPROPRIATE FOR THE APPLICATION OF THE
26 CONSTRUCTION REQUIREMENTS AND PROCEDURES ADOPTED PURSUANT TO THIS ARTI-
27 CLE; OR

28 5. THE DESIGN OR PLANNING PROCESS FOR SUCH NEW CONSTRUCTION OR
29 SUBSTANTIAL RENOVATION HAS SUBSTANTIALLY COMMENCED, AS DEFINED BY THE
30 OFFICE IN REGULATIONS, AS OF THE EFFECTIVE DATE OF THE REGULATIONS
31 PROMULGATED BY THE OFFICE PURSUANT TO THIS ARTICLE; PROVIDED HOWEVER,
32 THAT WHENEVER SUBDIVISION ONE, TWO, THREE OR FOUR OF THIS SECTION
33 APPLIES, THE CONSTRUCTION REQUIREMENTS AND PROCEDURES SHALL BE INTE-
34 GRATED INTO THE DESIGN AND CONSTRUCTION OF THE PROJECT TO THE MAXIMUM
35 EXTENT PRACTICABLE.

36 S 93. GREEN SCHOOL BUILDING CONSTRUCTION REQUIREMENTS. 1. THE
37 CONSTRUCTION OF NEW SCHOOL BUILDINGS AND THE SUBSTANTIAL RENOVATION OF
38 EXISTING SCHOOL BUILDINGS SHALL COMPLY WITH SUCH GREEN CONSTRUCTION
39 REQUIREMENTS AND PROCEDURES AS SHALL HAVE BEEN ESTABLISHED BY THE OFFICE
40 IN REGULATIONS PURSUANT TO SUBDIVISION TWO OF THIS SECTION.

41 2. THE OFFICE, IN CONSULTATION WITH THE AUTHORITY, THE DEPARTMENT OF
42 ENVIRONMENTAL CONSERVATION, THE DEPARTMENT OF HEALTH, THE DORMITORY
43 AUTHORITY OF THE STATE OF NEW YORK, THE DEPARTMENT OF STATE, THE DEPART-
44 MENT OF EDUCATION, THE OFFICE OF PARKS, RECREATION AND HISTORIC PRESER-
45 VATION, AND ANY OTHER AGENCY AS DETERMINED BY THE OFFICE THAT MAY BE
46 AFFECTED BY THIS ARTICLE, SHALL PROMULGATE RULES AND REGULATIONS ESTAB-
47 LISHING CONSTRUCTION REQUIREMENTS AND PROCEDURES NECESSARY TO IMPLEMENT
48 THIS ARTICLE, INCLUDING THE EXCEPTIONS DESCRIBED IN SECTION NINETY-TWO
49 OF THIS ARTICLE. IN ESTABLISHING SUCH REQUIREMENTS AND PROCEDURES, THE
50 OFFICE MAY CONSULT GREEN CONSTRUCTION REQUIREMENTS AND PROCEDURES ESTAB-
51 LISHED OR ADOPTED BY OTHER AGENCIES, AND BY PRIVATE ORGANIZATIONS,
52 INCLUDING BUT NOT LIMITED TO THE UNITED STATES GREEN BUILDING COUNCIL
53 UNDER ITS LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN PROGRAMS, THE
54 GREEN BUILDING INITIATIVE'S GREEN GLOBES RATING SYSTEM, AND THE AMERICAN
55 NATIONAL STANDARDS INSTITUTE.

1 3. FOR PURPOSES OF MONITORING COMPLIANCE WITH THIS ARTICLE AND THIS
2 ARTICLE'S EFFECTIVENESS, EACH DISTRICT SHALL PREPARE BY JUNE THIRTIETH
3 OF EACH YEAR AN ANNUAL BUILDING PERFORMANCE REPORT IN SUCH FORM AND
4 CONTAINING SUCH INFORMATION AS THE OFFICE MAY REQUIRE, WHICH MAY RELATE
5 TO SUCH MATTERS AS ENERGY CONSUMPTION, WASTE REDUCTION, INDOOR AIR QUAL-
6 ITY, WATER REDUCTIONS AND MAINTENANCE PROCEDURES AND PROCESSES. SUCH
7 REPORT SHALL BE AVAILABLE TO THE OFFICE UPON REQUEST.
8 S 3. This act shall take effect on the three hundred sixty-fifth day
9 after it shall have become a law; provided, however that effective imme-
10 diately, the office of general services is authorized to promulgate,
11 amend or repeal any rule or regulation which it deems necessary or
12 appropriate to implement this act.