

Legislative and Regulatory Update–December 11, 2010

The Illinois General Assembly's last day in session for the year was December 1st. Since our last substantive Legislative Update of September 2010, there have been no new bills of interest to report coming out of the Illinois Senate or House. This should not be a surprise considering that most of the days the General Assembly was convened over the past few months were Veto Sessions held to consider the Governor's vetoes.

There were no bills we were tracking sent to the Governor since September, thus there was nothing for us to follow during these Veto Sessions. But as the year comes to an end, and the next General Assembly convening next year, it is assured there will be plenty of new legislation we will be tracking for you dealing with green buildings, energy efficiency, and sustainability in general.

Have a great Holiday Season and see you next year!

December Spotlight: Federal Buildings Personnel Training Act of 2010 and LEED AP O&M

As of December 3, 2010, U.S. Senate Bill 3250, The Federal Buildings Personnel Training Act of 2010, has been presented to President Obama for signing. Although the Legislative Spotlight generally focuses on Illinois issues, Senate Bill 3250 is being Spotlighted here due to the significant role the USGBC's LEED for Existing Buildings: Operations & Maintenance Rating System, and more specifically LEED AP O+M credential, may have on the implementation of the Act.

The Federal Buildings Personnel Training Act of 2010 directs the Administrator of General Services (GSA) to: (1) identify, annually, the core competencies necessary for federal personnel performing building operations and maintenance, energy management, safety, and design functions to comply with requirements under federal law, including competencies relating to sustainability, water efficiency, electrical safety, and building performance measures; and (2) identify a course, certification, degree, license, or registration to demonstrate, and for ongoing training in, each core competency for the appropriate category of personnel. It also requires individuals in each category to demonstrate each core competency identified for the category within one year.

Senate Bill 3250 also directs the Administrator of GSA: (1) to develop or identify comprehensive continuing education courses to ensure the operation of federal buildings in accordance with industry best practices and standards; and (2) directs the Secretary of Energy to develop, annually, a recommended curriculum relating to facility management and the operation of high-performance buildings.

If The Federal Buildings Personnel Training Act of 2010 is signed into law, the GSA Administrator may be well advised to consider the USGBC's LEED AP Operations + Maintenance credential when fulfilling the directives of the Act. First, the exam tests the knowledge and skills necessary to participate in the operation and maintenance of existing buildings that implement sustainable practices and reduce the environmental impact of a building over its functional life cycle. Candidates for the LEED AP O & M must show competency in: 1) Project Site Factors, 2) Water Management, 3) Project Systems and Energy Impacts, 4) Acquisition, Installation, and Management of Project Materials, 5) Improvements to the Indoor Environment, 6) Stakeholder Involvement in Innovation, and 7) Project Surroundings and Public

Outreach. After considering the credential's elements more closely, the GSA Administrator may conclude that it satisfies both requirements of identifying the requisite core competencies and provides the examination and certification called for under the Act.

And to ensure these LEED APs remain on the cutting edge of best practices, LEED AP O+M credential holders are required by GBCI to complete and report 30 Continuing Education (CE) hours each reporting period; with 6 of these hours being LEED-specific. This too would satisfy another of the directives that The Federal Buildings Personnel Training Act of 2010 imposes on the GSA Administrator. In short, if passed, the US Green Building Council may have already completed the work of the GSA Administrator. This would bode well for the Administrator, the USGBC, and for ensuring that the building stock of the federal government is operated and maintained in a high performing, efficient, and sustainable fashion.

For detailed information on Senate Bill 3250, The Federal Buildings Personnel Training Act of 2010, go to <http://thomas.loc.gov/home/LegislativeData.php?n=BSS>. Under "Enter Search" hit "Bill Number", then enter S. 3250 in the search box. For more information on the LEED for Existing Buildings: Operations & Maintenance visit <http://www.usgbc.org/ShowFile.aspx?DocumentID=3353>.

For more information about Representative May, please visit <http://www.ilga.gov/house/Rep.asp?GA=96&MemberID=1392>. And for more information about the Legislative Update and Spotlights please contact Sean Ziadeh at seanziadeh@hotmail.com or by calling (248) 320-3208 for any other information.