

**56.777 High-Performance Buildings Advisory Committee -- Membership -- Duties -  
- Administrative regulations -- Resource utilization.**

- (1) A High-Performance Buildings Advisory Committee is hereby created and shall be administratively staffed by the cabinet.
- (2) The committee shall consist of sixteen (16) members and shall include:
  - (a) A representative of the cabinet designated by the secretary;
  - (b) A representative of the Tourism, Arts and Heritage Cabinet designated by the secretary;
  - (c) A representative of the Department of Education designated by the commissioner;
  - (d) A representative of the Council on Postsecondary Education designated by the president;
  - (e) A representative of the Department for Energy Development and Independence designated by the commissioner; and
  - (f) A representative appointed by the Governor from each of the following:
    1. The design and construction industry involved in public works contracting;
    2. The Kentucky Chapter of the U. S. Green Building Council;
    3. The University of Kentucky College of Design;
    4. The Kentucky Forest Industries Association;
    5. The Kentucky Society of the American Institute of Architects;
    6. The American Society of Heating, Refrigerating, and Air-Conditioning Engineers;
    7. The Associated General Contractors of Kentucky;
    8. The West Kentucky Construction Association;
    9. The Kentucky Manufactured Housing Institute;
    10. The Kentucky Ready Mixed Concrete Association; and
    11. The Plantmix Asphalt Industry of Kentucky.
- (3) The representative of the cabinet shall serve as the chairperson of the committee. All appointments shall be for a term of two (2) years. Committee members shall serve until their successors are appointed and shall be eligible for reappointment.
- (4) The committee shall meet at least monthly or as convened by the chairperson.
- (5) The members of the committee shall receive reimbursement for the cost of travel to and from the meetings and any costs necessarily incurred in carrying out their duties.
- (6) The committee shall:
  - (a) Consult with architects, engineers, builders, energy and conservation organizations, and other interested stakeholders, and make recommendations to the cabinet regarding:
    1. Standards and benchmarks developed under existing high-performance

building programs, including the ENERGY STAR rating system, Green Globes rating system, and Leadership in Energy and Environmental Design (LEED) Green Building rating system; and

2. Standards and guidelines developed and adopted by the U.S. Green Building Council, the American Society of Heating, Refrigerating and Air-Conditioning Engineers, and the Illuminating Engineering Society of North America partnership concerning the design of sustainable buildings to balance environmental responsibility, resource efficiency, occupant comfort and well-being, and community sensitivity;
    - (b) Assist the cabinet in the review of state building projects to ensure that building performance and efficiency are maximized to the extent economically feasible using a life-cycle cost analysis;
    - (c) Assist the cabinet in developing a process of documentation of the attainment of high-performance building standards; and
    - (d) Assist the cabinet in conducting an ongoing professional development program for state and local building designers, construction companies, school districts, building managers, and the general public on high-performance building design, construction, maintenance, and operation.
- (7) Prior to the implementation of KRS 56.770 to 56.784, the cabinet shall promulgate administrative regulations pursuant to KRS Chapter 13A necessary to implement this section. The cabinet shall consider the recommendations made by the High-Performance Buildings Advisory Committee pursuant to subsection (6) of this section and shall establish the criteria for the high-performance building standards and the benchmarks by which the high-performance building standards will be measured. At a minimum, the cabinet shall:
- (a) Include the standards for site selection and management, water efficiency, energy conservation, waste reduction, material and resource use, and indoor air quality; and
  - (b) Require that each high-performance building be designed, constructed, or renovated so that it is capable of being rated as an ENERGY STAR building in accordance with the criteria and rating system adopted by the United States Environmental Protection Agency and in effect at the time the building is designed or, in the case of leased buildings, at the time the lease is entered into on or after July 1, 2018.
- (8) In developing the criteria for the high-performance building standards, the cabinet shall consider and encourage the use of:
- (a) Locally grown lumber from forest lands implementing sustainable practices established by the American Tree Farm System's Sustainable Forest Initiative or the Kentucky Forest Stewardship Program established under KRS 149.330 to 149.355;
  - (b) Building materials manufactured with recycled content within the Commonwealth; and
  - (c) Renewable energy sources.

**Effective:** June 24, 2015

**History:** Amended 2015 Ky. Acts ch. 105, sec. 3, effective June 24, 2015. -- Repealed and reenacted 2010 Ky. Acts ch. 5, sec. 5, effective February 25, 2010; and amended ch. 24, sec. 54, effective July 15, 2010. -- Amended 2009 Ky. Acts ch. 16, sec. 7, effective June 25, 2009. -- Created 2008 Ky. Acts ch. 139, sec. 5, effective July 15, 2008.

**Legislative Research Commission Note (7/15/2010).** This section was amended by 2010 Ky. Acts ch. 24 and repealed and reenacted by 2010 Ky. Acts ch. 5. Notwithstanding KRS 446.260, these Acts do not appear to be in conflict and have been codified together.

**Legislative Research Commission Note (2/25/2010).** 2010 Ky. Acts ch. 5, sec. 28, provides that the repeal and reenactment of this section in that Act "shall apply retroactively to July 15, 2008."