

**COMMONLY ASKED QUESTIONS & ANSWERS FOR
EXECUTIVE ORDER 07-126 & HOUSE BILL 3175
“THE ENERGY, CLIMATE CHANGE, AND ECONOMIC SECURITY ACT OF 2008”
Florida Green Lodging Program
Updated August 2008**

Section 23. Section 286.29, Florida Statutes: “Climate-friendly public business”

BACKGROUND: On July 13, 2007, Governor Charlie Crist signed three executive orders to reduce Florida’s greenhouse gas emissions, increase energy efficiency, and remove market barriers for renewable energy technologies such as solar and wind energy. Section 4 of Executive Order 07-126 required that as of January 1, 2008, state agencies and departments under the direction of the Governor could not contract for meeting and conference space with hotels or conference facilities that had not received the Florida Department of Environmental Protection’s (DEP) *Green Lodging* program designation for best practices in water, energy, and waste efficiency standards, except when certified to the Governor by the responsible agency head that no other viable alternative existed.

In June 2008, Governor Crist signed House Bill 7135, “The Energy, Climate Change, And Economic Security Act Of 2008”, which built upon the framework of the executive orders and expanded the *Green Lodging* meeting and conference requirement of Executive Order 07-126 from state agencies under the Governor’s direction to all state agencies. This comprehensive energy and economic development legislation also encompassed reducing greenhouse gas emissions as well as encouraging investment in alternative and renewable energy technologies.

GREEN LODGING PROGRAM – Section 286.29, “The Energy, Climate Change, And Economic Security Act Of 2008” states:

“Effective July 1, 2008, state agencies shall contract for meeting and conference space only with hotels or conference facilities that have received the "Green Lodging" designation from the Department of Environmental Protection for best practices in water, energy, and waste

efficiency standards, unless the responsible state agency head makes a determination that no other viable alternative exists."

HOW WILL STATE AGENCIES COMPLY WITH THE "GREEN LODGING PROGRAM" PROVISION? This Q&A has been prepared to assist you, and contact information is at the end if you need more information.

1. Are state employees required to stay at designated properties in the Florida Green Lodging Program for state travel?

No, "The Energy, Climate Change, And Economic Security Act Of 2008" and the Executive Order language only applies to contracts for meetings and conference space, not personnel travel and accommodations.

2. If a contract was executed before January 1, 2008, is the meeting or conference still required to be at a designated property in the Florida Green Lodging Program?

No, this Executive Order only applies to contracts executed after January 1, 2008. However, we ask that you make the property you've contracted with aware of the Executive Order and direct its managers to the Florida Green Lodging Program website: www.dep.state.fl.us/greenlodging.

3. How can I easily see which properties are already in the program and which ones are officially in the process?

Go to www.dep.state.fl.us/greenlodging for an easy navigational tool – click at "Designated Properties," which is sorted by regions of the State. Then click under "Hotel Applicants" for a complete list of pending properties.

4. We would like to have our conference in a particular area of the State, but there are no properties designated in the Florida Green Lodging Program in that area. Is this considered "no other viable alternative"?

Yes, but the agency needs to demonstrate that there is a compelling reason why the event must be held in this particular area. In addition, we ask that the agency make facilities aware of the legislation and the Florida *Green Lodging* Program website

www.dep.state.fl.us/greenlodging) so they can consider becoming a designated property prior to the event taking place. (Designations vary with the size of the property. Achieving designation can take up to six months but as little as a few weeks, depending on what it is doing already to be energy or water efficient, etc.)

5. **The room rates for all the designated properties in the Florida *Green Lodging* Program in the area we need to have our conference are expensive and “price us out of the market.” Can this be considered “no other viable alternative”?**

Yes, but the agency will need to demonstrate that there are no other designated properties in the Florida *Green Lodging* Program in the area that would meet the requirements for the event, and a compelling reason why the event must be held in this particular area. Also, we ask that the agency make the facility aware of the legislation and direct its managers to the Florida *Green Lodging* Program website www.dep.state.fl.us/greenlodging so they can consider becoming a designated property prior to the event taking place.

6. **We would like to contract with a property that is a Florida *Green Lodging* Program applicant, but they are not yet a designated property. Can we utilize this facility?**

No, since the legislation clearly states that agencies may not contract for meetings and conference space with hotels or conference facilities that have not received the designation. However, if the facility has had its assessment completed, and the status is pending, a contract can be established. The web site (see # 3) has a “pending” list, and the DEP Florida *Green Lodging* Program contacts (below) can provide the status of any given facility upon request as well.

7. **What is the process for certifying to the Governor that “no other viable alternative exists”?**

The determination that no other viable alternative exists should be sent by each agency head’s office through an e-mail to the contact below. Please place “*GREEN LODGING*” and the agency name in the subject line.

Attn: Brenda Henry, Fiscal Assistant

Executive Office of the Governor

Brenda.Henry@eog.myflorida.com

Phone: (850) 488-4505

The e-mail should cover the following:

- a. The name and location of the facility selected.
- b. The date and title of the event.
- c. The name and location of designated properties in the Florida *Green Lodging* Program that were considered, and why they were not used.
- d. Why a particular area of the state was selected.
- e. Confirming that the facility used was made aware of the legislation and directed to the Florida *Green Lodging* Program website.

8. What else can I do to support this effort?

You could easily – as both a State employee traveling on business, or as a private individual – provide feedback to DEP through an e-mail form that helps us ensure that properties in this program are practicing efficient measures. To provide feedback, please visit:

<http://www.dep.state.fl.us/greenlodging/comment/default.htm>.

Please contact DEP at any time for additional questions or information:

Peter Goren, Program Manager – peter.goren@dep.state.fl.us – (850) 245-4136

Karen Moore, Program Coordinator – karen.s.moore@dep.state.fl.us – (850) 245-4174

Sheileen Smith, Program Planner – sheileen.smith@dep.state.fl.us – (850) 245-4047

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Florida *Green Lodging* Program

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