

HOUSE BILL NO. 308
INTRODUCED BY K. VAN DYK

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING ENERGY EFFICIENCY AUDITS OF ALL STATE-OWNED BUILDINGS; SETTING ENERGY EFFICIENCY STANDARDS FOR NEW CONSTRUCTION OF STATE-OWNED BUILDINGS; SETTING ENERGY EFFICIENCY STANDARDS FOR STATE PURCHASING; AND AMENDING SECTIONS 17-7-201 AND 17-7-206, MCA."

WHEREAS, buildings represent one of the largest potential sources of energy savings in the United States, eclipsing even the transportation sector and accounting for 71% of electric power use; and

WHEREAS, it is the duty of state government to take necessary actions to minimize any deleterious effects to the environment through the course of governmental functions; and

WHEREAS, it is a stated national goal to take all prudent actions when possible to increase U.S. energy independence; and

WHEREAS, the implementation of developing technologies in building design and construction lead to economic growth through energy savings that are reinvested and increase jobs in both the manufacturing and the research sectors.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Energy efficiency audits. (1) The department shall audit all state-owned or state-funded facilities and buildings and report cost-effective means of reducing peak-load energy consumption and overall energy use. In conducting these audits, the department shall:

(a) examine existing energy efficiency and renewable energy programs and identify underused program strategies;

(b) determine where system upgrades should be made to reduce energy use and create dollar savings and shall include an estimate of the cost of the upgrades.

(2) The department shall submit a report to the 61st and subsequent legislatures based upon audit findings that include:

(a) recommendations for increasing energy efficiency and increasing the use of renewable energy; and

(b) the projected cost of any measures at the point of implementation, any related maintenance, and the

projected savings to be accrued from conservation over time.

NEW SECTION. Section 2. Energy efficiency standards for new building construction. (1) All planning and preparation for building construction under 17-7-202 after July 1, 2008, must be designed, constructed, and certified to the LEED silver standard.

(2) (a) State agencies shall compile a report on operating savings relating to buildings constructed after July 1, 2008, to the department of administration before July 1 of each even-numbered year.

(b) The department shall consolidate all reports from state agencies required in subsection (2)(a) into one report to be presented to the legislature during the first week of each regular legislative session. This report is in addition to any other reporting requirements under 17-7-203.

NEW SECTION. Section 3. Energy efficiency standards for state purchasing. (1) The department shall when procuring electronic devices, or in delegating procurement under 18-4-222, purchase Energy Star-compliant equipment. Electronic equipment under this section includes but is not limited to computers, appliances, air conditioners, and office equipment.

(2) As used in this section, "Energy Star" means the joint program on energy efficiency of the U.S. environmental protection agency and the U.S. department of energy.

Section 4. Section 17-7-201, MCA, is amended to read:

"17-7-201. Definitions of building and construction. In this part the following definitions apply:

(1) "Building" includes a:

- (a) building, facility, or structure constructed or purchased wholly or in part with state ~~moneys~~ money;
- (b) building, facility, or structure at a state institution;
- (c) building, facility, or structure owned or to be owned by a state agency, including the department of transportation.

(2) "~~Building~~ Building" does not include a:

- (a) building, facility, or structure owned or to be owned by a county, city, town, school district, or special improvement district;
- (b) facility or structure used as a component part of a highway or water conservation project.

(3) "Construction" includes construction, repair, alteration, and equipping and furnishing during construction, repair, or alteration.

(4) "LEED silver standard" means the leadership in energy and environmental design rating standard developed by the United States green building council, commonly called the silver standard.

(5) "State agencies" has the meaning provided in 2-18-111."

Section 5. Section 17-7-206, MCA, is amended to read:

"17-7-206. Maintenance for state buildings. (1) Subject to legislative determination as provided in subsection (2), a major capital project appropriation by the legislature may include an amount for maintenance as a part of the appropriation. The amount appropriated for maintenance must be deposited in the long-range building account for use in future maintenance.

(2) A state building recommended for construction in the report to the legislature required by 17-7-203 may also be recommended as appropriate for the inclusion of an amount for maintenance. For those buildings recommended for construction, the legislature may allocate an amount not to exceed 2% of the appropriated cost for use in maintenance.

(3) This section does not preclude additional funds, including separate appropriations, donations, grants, or other available funds, from being used for the construction or maintenance of state buildings.

(4) All maintenance for state buildings must incorporate practices designated by the LEED silver standard for existing buildings."

NEW SECTION. Section 6. Codification instruction. (1) [Section 1] is intended to be codified as an integral part of Title 90, chapter 4, part 6, and the provisions of Title 90, chapter 4, part 6, apply to [section 1].

(2) [Section 2] is intended to be codified as an integral part of Title 17, chapter 7, part 2, and the provisions of Title 17, chapter 7, part 2, apply to [section 2].

(3) [Section 3] is intended to be codified as an integral part of Title 18, chapter 4, part 3, and the provisions of Title 18, chapter 4, part 3, apply to [section 3].

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